

Local Law 4 of 2024
Adopted 03.19.2024

A LOCAL LAW TO AMEND CHAPTER 260 TAXATION OF THE CODE OF THE VILLAGE OF HASTINGS-ON-HUDSON TO REVISE PROVISIONS OF ARTICLE III SENIOR CITIZEN EXEMPTION

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section One. Section 260-18 Conditions for exemption is amended to read as follows:

§260-18. Conditions for exemption.

In order to be eligible for a partial exemption as set forth herein, the income of the owner or the combined income of the owners of the property from all sources as set forth in such §467 of the Real Property Tax Law, as amended, for the income tax year immediately preceding the date of making application for exemption exceeds the sum of the maximum income exemption eligibility level for the granting of partial exemption from real property taxation as provided herein. "Income tax year" shall mean the latest twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the latest calendar year. Where title is vested in one spouse, their combined income may not exceed such sum. ~~Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and the net income from self-employment but shall not include gifts or inheritances.~~ **"Income" shall be as defined in Real Property Tax Law §467(3)(a)(iv), except that in accordance with Real Property Tax Law § 467(3)(a)(iv)(1), any social security benefits that were not included in the applicant's federal adjusted gross income shall not be considered included in "income."** Any such income shall be offset by all unreimbursed medical and prescription drug expenses not paid by insurance and/or veterans' disability compensation.

Section Two. Section 260-19 Application for exemption is amended to read as follows:

§ 260-19. Application for exemption.

~~A.~~ The application for exemption in accordance with the above shall be governed by the provisions of § 467 of the Real Property Tax Law, including those statutory provisions prescribing qualifications for and limitations on such exemptions, the application and processing procedures and the penalties for willful false statements. Application shall be filed with the ~~Village of Hastings-on-Hudson~~ **Town of Greenburgh** Assessor.

~~B. Pursuant to the provisions of Subdivision 8 of § 467 of the Real Property Tax Law, the Village of Hastings-on-Hudson Assessor is hereby authorized to accept applications for renewal of exemptions granted under this article after the taxable status date. In the event that the owner or all of the owners of property which has received an exemption pursuant to this article on the preceding assessment roll shall fail to file an application for renewal on or before the taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date set for the hearing of complaints.~~

Section Three. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Four. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.