

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of HAMPTON

Local Law No. 3 of the year 2014

A local law PROVIDING FOR A PARTIAL REAL PROPERTY TAX EXEMPTION UNDER SECTION

(Insert Title)

458-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW FOR A VETERANS

ALTERATIVE EXEMPTION TO GOLD STAR PARENTS

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of HAMPTON

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2014 of the (County)(City)(Town)(Village) of HAMPTON was duly passed by the TOWN BOARD on JUNE 18 2014, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

*Rebecca S. Jones*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 06/20/14

(Seal)

# LOCAL LAW NO. 3 OF 2014

## TOWN OF HAMPTON COUNTY OF WASHINGTON, STATE OF NEW YORK

### A LOCAL LAW PROVIDING FOR A PARTIAL REAL PROPERTY TAX EXEMPTION UNDER SECTION 458-a OF THE NEW YORK STATE REAL PROPERTY TAX LAW FOR A VERTERANS ALTERATIVE EXEMPTION TO GOLD STAR PARENTS

**Be it enacted** by the Town Board of the Town of Hampton ("Town"), County of Washington, State of New York ("State") as follows:

#### **Section 1. Legislative Intent.**

- a. The purpose of this local law is to make a Gold Star Parent eligible for the veteran's alternative exemption as authorized by Chapter 326 of the laws of New York for 2000.
- b. Chapter 326 of the Laws of New York for 2000 amended § 458-a of the New York State Real Property Tax Law by adding a new Subdivision 7 making a Gold Star Parent eligible for the veterans alternative exemption.
- c. In addition to the veterans alternative exemption currently authorized pursuant to § 458-a of the New York State Real Property Tax Law, property owned by a Gold Star Parent will now be included within the definition of "qualifying residential real property" as provided in Paragraph (d) of Subdivision 1 of § 458-a of NYS Real Property Tax Law.
- d. An otherwise qualified Gold Star Parent will be eligible to receive the veterans alternative exemption, provided that the exemption shall only be applied to the primary residence of the Gold Star Parent.

#### **Section 2. Definitions and Eligibility**

For purposes of extending alternative veterans real property tax exemptions to Gold Star Parents as authorized by Chapter 326 of the Laws of New York for 2000, in § 458-a of the Real Property Tax Law, a "**Gold Star Parent**" shall be defined as "the parent of a child who died in the line of duty while serving in the United States armed forces during a period of war" and further, a "**qualifying residential real property**" shall include property owned by a Gold Star Parent, provided that such property shall be the primary residence of the Gold Star Parent. A Gold Star Parent shall be deemed eligible to receive the maximum veteran's exemption allowable for "qualifying residential real property" under the local laws of the Town of Hampton, NYS Real Property Tax Law 458-a(2)(a), and NYS Real Property Tax Law 458-a(2)(b).

#### **Section 3. Exclusions**

The additional exemption provided for in Paragraph (c) of Subdivision 2 of § 458-a shall not apply to real property owned by a Gold Star Parent.



#### **Section 4. Property Held in Trust.**

Notwithstanding any other provision of law to the contrary, the provisions of this Local Law shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this Local Law, were such person or persons the owner or owners of such real property.

#### **Section 5. Penalties.**

The making of a willful false statement in the application for an exemption under this Local Law shall be a violation thereof, and a conviction for any such violation shall be punishable by a fine of not more than One Hundred Dollars (\$100.00) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

#### **Section 6. Applicability.**

This Local Law shall apply to assessment rolls on the basis of taxable status dates occurring on or after January 1, 2015 and each year thereafter.

#### **Section 7. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### **Section 8. Effective Date.**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

ANDREW M. CUOMO  
GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE

July 28, 2014

Rebecca S Jones  
Town Clerk  
2629 State Route 22A  
PO Box 125  
Hampton NY 12837

**RE: Town of Hampton, Local Law 3 2014, filed on June 27, 2014**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 474-2755

OFFICIAL COPY

# TOWN OF HAMPTON

**TOWN CLERK**

Rebecca S. Jones, RMC

**WASHINGTON COUNTY**

2629 STATE ROUTE 22A

PO Box 125

Hampton, New York 12837

PHONE #: (518) 282-9830 FAX #: (518) 282-9042

**COUNCILMAN**

Tamme Taran

David Jensen

Donald Sady

Andrea Sweeney

DAVID K. O'BRIEN, SUPERVISOR

Tamme Taran, Deputy Supervisor

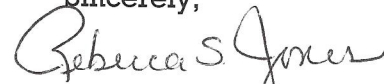
June 20, 2014

NYS Department of State  
Division of Corporations, State Records &  
Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, New York 12231

To Whom It May Concern:

Please find enclosed Local Law #3 of 2014 for filing. Thank you.

Sincerely,



Rebecca S. Jones, RMC

Town Clerk

Town of Hampton