

New York State Office of the State Comptroller

Thomas P. DiNapoli • State Comptroller



Property Tax Cap

User Guide for the Real Property Tax Calculation Form

The online form is designed to capture the necessary information needed from local governments to meet their property tax levy limit filing requirements. Once the necessary information has been entered, the form will compute the tax levy limit and then provide the user with a summary and a receipt for submission.

The form consists of two pages, which you may navigate between. You can click on “Print this Form” at any time and it will print the entire form with any information you have entered to that point.

NOTE: If your local government will have different responsibilities in the coming fiscal year due to transfer of functions from one local government to another, consolidation with other local governments, dissolution of your local government or another local government, or if your local governments will be entirely new or dissolved in the coming fiscal year, please contact the Office of the State Comptroller (OSC) for guidance (lgsmonitoring@osc.state.ny.us, or call 518-473-0006).

Tax Levy Limit Elements

This is the first page of the form, where you will enter most of the information you will need to calculate the property tax levy limit.

Line 1. Total Real Property Tax Levy in 2011

Indicate the amount that your local government levied for the fiscal year ending (FYE) in 2011. This tax levy will be the base for computing the FYE 2012 property tax levy limit.

Line 2. Tax Base Growth Factor

The tax base growth factor will be provided to you by the Department of Taxation and Finance (Office of Real Property Tax Services). The tax base growth factor is driven by the quantity change factor which reflects the percentage by which the full value of taxable real property has changed due to a physical or quantity change—for example, to adjust for an increase that is due to the addition of a new housing development. The Tax and Finance website with your tax base growth factor can be found at www.tax.ny.gov/research/property/cap.htm.

Even if your quantity change factor is negative, the tax base growth factor will not be less than 1.0000.

The FYE 2011 tax levy will be multiplied by the tax base growth factor.

NOTE: Increases in full value that result solely from assessment changes do not constitute a quantity change, nor do increases in full value that result from property returning to the tax rolls after the expiration of a PILOT.

Questions related to calculation of the quantity change factor should be directed to the Tax and Finance Solutions Center: 518-591-5233.

Line 3. PILOTS Receivable in FYE 2011

Enter the total amount of PILOTS receivable for FYE 2011. This figure will be added to your FYE 2012 property tax levy limit. This is not the amount you actually collect but rather what you expected to collect. No adjustments are permitted.

Line 4. PILOTS Receivable in FYE 2012

Enter the total amount of PILOTS receivable for FYE 2012. This figure will be subtracted from your FYE 2012 property tax levy limit. Again, this is the receivable amount. No adjustments are permitted.

Line 5. Total Tax levy necessary for expenditures from court orders or judgments resulting from tort actions FYE 2012. Enter the total amount of these expenditures. Costs that exceed 5% of the FYE 2011 tax levy may be excluded from the property tax levy limit. Enter the total costs and the form will compute this adjustment automatically when you move to the second page.

Line 6. Tax levy necessary for pension contribution expenditures caused by growth in the system average actuarial contribution rate (ERS, PFRS) or normal contribution rate (TRS) in excess of 2 percentage points.

Pension costs resulting from growth in any pension system's average actuarial or normal contribution rate that exceed two percentage points may be excluded from the property tax levy limit. OSC will be providing an Excel tool that will help you in calculating the amount of pension costs that may be excluded.

Line 7. Transfer of Government Function(s) as determined by OSC.

If the responsibilities of your local government have changed due to a transfer of function, you will enter the accompanying costs/savings here. These savings and costs are provided by the OSC, and are not to be computed by the localities themselves.

Once you have entered the data for lines 1 through 7, click on the "Continue" button. This will bring you to the second page of the form.

If you need to stop and come back to the form at a later time, click on the "Save as Draft" button before logging out. You may then log back and resume work with the data already entered.

Tax Levy Limit Calculations and Totals

This is the second page of the form, where the property tax levy limit (before and after adjustments and exclusions) will be displayed.

If at any time you wish to return to the first page of the form, click on the "Back" button at the bottom of the form. Do not use the browsers back button as it will navigate you away from the form.

Tax Levy Limit Before Adjustments and Exclusions

Line 8. Tax Levy FYE 12/31/2011.

From Line 1.

Line 9. Tax Base Growth Factor.

From Line 2.

Line 10. PILOTS receivable FYE 12/31/2011.

From Line 3.

Line 11. Allowable Levy Growth Factor. (This is determined and pre-populated by OSC)

This amount is the smaller of 2% or the inflationary change using the Consumer Price Index. OSC has calculated the allowable levy growth factor and has provided it in the form. The calculation is based on the monthly average consumer price index for all urban consumers (CPI-U).

Line 12. PILOTS receivable FYE 12/31/2012.

From Line 4.

Line 13. Total Levy Limit Before Adjustments/Exclusions.

Calculated by taking the FYE 2011 tax levy, multiplying by the tax base growth factor, adding FYE 2011 PILOTS, multiplying by the allowable levy growth factor, and subtracting the FYE 2012 PILOTS.

Adjustments for Transfer of Local Government Functions

Line 14. Costs incurred from transfer of local government functions.

From Line 7a. (as determined by OSC)

Line 15. Savings realized from transfer of local government functions.

From Line 7b. (as determined by OSC)

Line 16. Total Adjustments.

Line 14 minus Line 15. (Net)

Line 17. Tax Levy Limit, Adjusted for Transfer of Local Government Functions.

Total property tax levy limit plus adjustments for the transfer of local government functions.

Exclusions

Line 18. Tax levy necessary for expenditures resulting from court orders/judgments over 5% FYE 12/31/2011 tax levy.

The amount by which the costs of court orders/judgments exceed five percent of the FYE 2011 tax levy.

Line 19. Tax levy necessary for pension contribution expenditures caused by growth in the system average actuarial contribution rate (ERS, PFRS) or normal contribution rate (TRS) in excess of 2 percentage points.

From Line 6.

Line 20. Total Exclusions.

Line 18 plus Line 19.

Line 21. Tax Levy Limit, Adjusted for Transfers, Plus Exclusions.

Total property tax levy limit, plus transfers adjustment, plus exclusions.

Line 22. 2012 Proposed Levy.

Enter the property tax levy that your local government is proposing for FYE 2012.

Line 23. Difference Between Tax Levy Limit Plus Exclusions and Proposed Levy.

Subtracts the FYE 2012 proposed levy from the FYE 2012 property tax levy limit including adjustments for transfers and exclusions.

Line 24. Do you plan to override the cap in 2012?

Click “Yes” if you plan on overriding the property tax levy limit for FYE 2012. Click “No” if you do not.

Form Completed By. Enter the information for the person completing this form in the boxes provided.

When you have completed the form, click on the “Submit” button. You will be provided with a summary and a receipt for submission.

If you need to stop and come back to the form at a later time, click on the “Save as Draft” button before logging out. You may then log back and resume work with the data already entered.

Please note that local governments are responsible for determining their own tax levy limit. Although the form assists you with the calculation, it is incumbent upon you to submit accurate information. OSC will not certify the data that you submit nor correct inaccurate data.