



Monroe County Legislature

PAUL E. HANEY
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February 9, 2006

To The Honorable
Monroe County Legislature
407 County Office Building
39 West Main Street
Rochester, NY 14614

Re: Requesting the County Administration to Draft and Have Introduced into the State Legislature an Amendment to the Monroe County Tax Act (Chapter 441 of the Laws of 1938, as Amended) Allowing the County to accept partial Payments of County Taxes

Honorable Legislators:

The Monroe County Tax Act is a State Law enacted in 1938 that governs how Monroe County levies and collects its property taxes. It prohibits the County from accepting partial payments of taxes from its tax payers. In 1938, long before tax accounting was computerized and the tax records were all manually maintained, that was reasonable. It was especially reasonable because of the way taxes in the towns are collected - initially in the towns and later by the County Treasurer. Certainly, acceptance of partial payments would have created a bookkeeping nightmare.

However, this is 2006 and the County has a sophisticated computerized tax accounting system that is simultaneously used by all the town tax collectors and the County Treasury. Thus, the practical barrier to accepting partial payments has disappeared.

The reality is that a number of County taxpayers have difficulty paying their taxes in one lump sum. The County does offer an installment program in February and March in which the taxpayer can pay in three equal installments that are all due in the 49 days from February 10 to March 31. Oddly, the In Rem Tax Foreclosure Act also allows for paying the taxes on a negotiated installment plan once a tax foreclosure action against a property has been initiated.

But, between February of the year a tax is levied and the initiation of a tax foreclosure action, the County is barred from accepting partial payments. Every tax collector in the County has been in the bizarre position of having to refuse to accept payments from taxpayers who want to make

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partial payments. If a public utility did that, we would be outraged. We force people to continue accruing interest at a rate of 18% per year on money *they want to pay*. The result in the City of Rochester is that these taxpayers go to City Hall and make payments on their City taxes instead because partial payments are accepted.

We are unnecessarily penalizing our taxpayers who are in economic difficulty while we are imposing delays on the collection of taxes and hurting the County's cash flow.

Therefore, we respectfully request the County Administration to draft an amendment to the Monroe County Tax Act and have it introduced in the State Legislature which authorizes the acceptance of partial tax payments.

This initiative will have no impact on the revenues or expenditures of the 2006 County budget but will favorably accelerate the collection of some tax revenues in future years.

Respectfully submitted,

Harry B. Bronson
Assistant Democratic Leader

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