

# Tax Cap Reminders:

## Annual Reporting/Filing

- Office of the State Comptroller requires libraries who receive funding through a referendum (public vote) to complete tax cap reporting forms each year, even if you do not plan to ask for an increase or plan to exceed the tax cap.
  - *You must file and submit your online form with the Office of the State Comptroller before March 1st each year.*
- Two Forms Need to be Completed and Submitted Online
  - 1) "Tax Cap Compliance" Form
    - To disclose your compliance with your current fiscal year
    - Deadline to File: End of February
  - 2) "Property Tax Reporting" Form
    - To declare your intentions for the coming fiscal year, and the tax levy being voted on this May. (The May timeline is a general guide as many libraries put up their tax levies along with local school district votes.)
    - Deadline to file: End of February

## Exceeding the Tax Cap Notes

- Originally signed into law as 2% tax cap in 2011; applied to 2012 Budgets.
- "Allowable Tax Levy Growth Factor" (Tax Cap) for 2016 budgets was 0.73% or less...depending on your community and timing of fiscal year.
- The online tax cap reporting form will help you calculate your allowable rate for tax cap compliance; be prepared for this to change annually.
- A Library Board can propose a budget that exceeds the tax cap. First, they must pass a resolution by 60% vote of their total board to exceed the tax cap. Next, the tax levy proposition in question still requires voter approval and must pass by a simple majority of voters (50%). Finally, the board may adopt the budget.
- If you plan to exceed the tax cap, your board must pass a resolution to do so prior to adopting the budget.
- Whether you intend to exceed or not, passing this resolution gives you the option to exceed as one more tool in your budget development toolkit and also serves as your insurance policy in case the tax cap calculations are off at any point, causing you to inadvertently not be in compliance.

# Tax Cap To-do List:

- Make sure you have a Username and Password established with the OSC.  
Your Library should only need to establish this once, and then you'll be prompted to update your own password annually.  
*Online services:* <https://onlineservices.osc.state.ny.us/Enrollment/login?0>  
*Email:* [localgov@osc.state.ny.us](mailto:localgov@osc.state.ny.us) or Call Help Line: 518-408-4934
- Board Passes a Tax Cap Override Resolution (Fall of this year for Spring vote next year) prior to adopting next year's budget.
- Login-in to your OSC reporting portal and file both forms. Sooner is better, expect surprises; different look and feel, new questions etc...  
**\*\*Print and retain copies of your completed forms and confirmation of submission\*\***
- Review school district requirements for submitting a budget proposition, if applicable
- Petition community voters for support if increasing the amount of your total vote, if required by your school district.
- Submit a request for budget proposition vote to the school district, if applicable.
- Retain a published public copy of your proposition vote.
- Print and retain a copy of your vote outcome from the local news.  
*It's important to be able to demonstrate the total "yes" votes in relation to the total number of voters, to verify the passage by 50% or more.*
- Retain a copy of your check from the school district.
- Copy of the adopted Library budget that includes this tax levy.
- Copy of the previous year's adopted budget clearly delineating the amount of that tax levy.

**Keep records of the above information altogether and label with the fiscal year for which those tax levy funds will be received and used. Keep all your tax levy packets together in a separate tax levy/tax cap file.**

- This makes it easier to find all the information you need when you file your reports, including referring to your previous fiscal years' data and reports.
- In the event you are ever audited by OSC or your independent auditor requests this information, it's already altogether and neatly organized.