

5509--B

2011-2012 Regular Sessions

I N S E N A T E

May 26, 2011

Introduced by Sens. GRISANTI, DeFRANCISCO, GOLDEN, GRIFFO, JOHNSON, LARKIN, MAZIARZ, O'MARA, RANZENHOFER, RITCHIE, SEWARD, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to the public safety communications surcharge and repealing certain provisions of such law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 6 of section 186-f of the tax law is REPEALED
2 and a new subdivision 6 is added to read as follows:
3 6. DISTRIBUTION. THE MONIES COLLECTED FROM THE SURCHARGE IMPOSED BY
4 THIS SECTION SHALL BE DISTRIBUTED IN THE FOLLOWING MANNER:
5 (A) FIFTY-EIGHT AND THREE-TENTHS PERCENT SHALL BE USED FOR THE
6 PROVISION OF GRANTS OR REIMBURSEMENTS TO COUNTIES FOR THE DEVELOPMENT,
7 CONSOLIDATION, OR OPERATION OF PUBLIC SAFETY COMMUNICATIONS SYSTEMS OR
8 NETWORKS DESIGNED TO SUPPORT STATEWIDE INTEROPERABLE COMMUNICATIONS FOR
9 FIRST RESPONDERS, INCLUDING NEXT GENERATION 911, TO BE DISTRIBUTED
10 PURSUANT TO STANDARDS AND GUIDELINES ISSUED BY THE STATE. ANNUAL GRANTS
11 MAY CONSIDER COSTS BORNE BY A MUNICIPALITY RELATED TO THE ISSUANCE OF
12 LOCAL PUBLIC SAFETY COMMUNICATIONS BONDS PURSUANT TO SECTION TWENTY-FOUR
13 HUNDRED THIRTY-TWO OF THE PUBLIC AUTHORITIES LAW, WHEN THE MUNICIPALITY
14 HAS QUALIFIED AS AN APPROVED PARTICIPANT IN A STATEWIDE INTEROPERABLE
15 COMMUNICATIONS SYSTEM UNDER THE STANDARDS AND GUIDELINES ISSUED BY THE
16 STATE, AND MAINTAINS COMPLIANCE WITH SUCH STANDARDS AND GUIDELINES. THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 GRANT AMOUNT WILL BE PRESCRIBED PURSUANT TO AN AGREEMENT WITH THE MUNI-
2 CIPALITY, AND MAY NOT EXCEED THIRTY PERCENT OF THE ANNUAL COST BORNE BY
3 THE MUNICIPALITY IN RELATION TO SUCH BONDS; AND

4 (B) FORTY-ONE AND SEVEN-TENTHS PERCENT SHALL BE JOINTLY APPORTIONED,
5 PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER, TO:
6 (I) THE STATE POLICE, (II) THE NEW YORK STATE EMERGENCY SERVICES REVOLV-
7 ING LOAN FUND, (III) PROVIDE FOR THE COSTS OF DEBT SERVICE FOR BONDS AND
8 NOTES ISSUED TO FINANCE EXPEDITED DEPLOYMENT FUNDING PURSUANT TO THE
9 PROVISIONS OF SECTION THREE HUNDRED THIRTY-THREE OF THE COUNTY LAW AND
10 SECTION SIXTEEN HUNDRED EIGHTY-NINE-H OF THE PUBLIC AUTHORITIES LAW, AND
11 (IV) PROVIDE FOR SERVICES AND EXPENSES THAT SUPPORT THE OPERATIONS AND
12 MISSION OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AS
13 APPROPRIATED BY THE LEGISLATURE.

14 S 2. This act shall take effect on the first of April next succeeding
15 the date on which it shall have become a law; provided, however, that
16 effective immediately, the addition, amendment and/or repeal of any rule
17 or regulation necessary for the implementation of this act on its effec-
18 tive date is authorized and directed to be made and completed on or
19 before such effective date.