

# STATE OF NEW YORK

3141

2025-2026 Regular Sessions

## IN SENATE

January 23, 2025

Introduced by Sens. COONEY, BAILEY -- read twice and ordered printed,  
and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend the tax law, in relation to exempting certain property  
and services used in the cultivation of cannabis for adult-use from  
sales and compensating use taxes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 6 of subdivision (a) of section 1115 of the tax  
2 law, as amended by section 5 of part B of chapter 63 of the laws of  
3 2000, is amended to read as follows:  
4 (6) (A) Tangible personal property, whether or not incorporated in a  
5 building or structure, for use or consumption predominantly [~~either~~] in  
6 the production for sale of tangible personal property by farming [~~or~~],  
7 in a commercial horse boarding operation, or [~~in both~~] in the culti-  
8 vation of cannabis for adult-use pursuant to an adult-use cultivator  
9 license, an adult-use cooperative license, or a microbusiness license  
10 pursuant to article four of the cannabis law.  
11 (B) With respect to the exemption of motor vehicles under this para-  
12 graph, (i) use of a motor vehicle [~~either~~] in the production phase of  
13 farming [~~or~~], in a commercial horse boarding operation, or [~~in both~~] in  
14 the cultivation of cannabis for adult-use pursuant to an adult-use  
15 cultivator license, an adult-use cooperative license, or a microbusiness  
16 license pursuant to article four of the cannabis law shall be defined as  
17 any use of the motor vehicle on property [~~either~~] farmed [~~or~~], used in a  
18 commercial horse boarding operation, or [~~both~~] used in the cultivation  
19 of cannabis for adult-use pursuant to an adult-use cultivator license,  
20 an adult-use cooperative license, or a microbusiness license pursuant to  
21 article four of the cannabis law, by the motor vehicle purchaser or user  
22 or in direct and uninterrupted trips between properties farmed or used  
23 in such operation[~~, or both,~~] or cultivation by the motor vehicle

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

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1 purchaser or user, and (ii) "predominantly" shall mean that more than  
2 fifty percent of the motor vehicle's use is either in the production  
3 phase of farming [~~or~~], in a commercial horse boarding operation, or in  
4 [~~both~~] the cultivation of cannabis for adult-use pursuant to an adult-  
5 use cultivator license, an adult-use cooperative license, or a micro-  
6 business license pursuant to article four of the cannabis law. The  
7 percentage of such vehicle's use [~~either~~] in the production phase of  
8 farming [~~or~~], in a commercial horse boarding operation, or in [~~both~~] the  
9 cultivation of cannabis for adult-use pursuant to an adult-use cultiva-  
10 tor license, an adult-use cooperative license, or a microbusiness  
11 license pursuant to article four of the cannabis law, may be computed  
12 either on the basis of mileage or hours of use, at the discretion of the  
13 motor vehicle purchaser or user. A person may purchase a motor vehicle  
14 qualifying for exemption under this paragraph without payment of tax  
15 imposed by section eleven hundred five or eleven hundred ten of this  
16 article by furnishing the vendor a properly completed exemption certif-  
17 icate promulgated by the commissioner; and such purchaser may register  
18 such vehicle or apply for a certificate of title for such vehicle with  
19 the commissioner of motor vehicles or a county clerk, without payment of  
20 such taxes, by furnishing such a properly completed certificate to such  
21 commissioner or clerk.

22 § 2. This act shall take effect immediately.