

2178

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. McENENY, LUPARDO -- Multi-Sponsored by -- M. of A. ABBATE, BENJAMIN, COLTON, COOK, DelMONTE, DESTITO, ESPAILLAT, LANCMAN, MAGEE, REILLY, J. RIVERA, SCHIMMINGER, STIRPE, TOWNS, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to exemptions from sales and use taxes

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

1 Section 1. Subdivision (a) of section 1115 of the tax law is amended  
2 by adding four new paragraphs 44, 45, 46 and 47 to read as follows:

3 (44) BICYCLE HELMETS. FOR PURPOSES OF THIS PARAGRAPH, BICYCLE HELMETS  
4 SHALL MEAN A HELMET DESIGNED TO MEET THE RULES AND REGULATIONS OF THE  
5 COMMISSIONER OF MOTOR VEHICLES ESTABLISHING STANDARDS FOR HELMETS PURSU-  
6 ANT TO SECTION TWELVE HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC  
7 LAW.

8 (45) MOTORCYCLE HELMETS. FOR PURPOSES OF THIS PARAGRAPH, MOTORCYCLE  
9 HELMETS SHALL MEAN A HELMET DESIGNED TO MEET THE RULES AND REGULATIONS  
10 OF THE COMMISSIONER OF MOTOR VEHICLES ESTABLISHING STANDARDS FOR HELMETS  
11 PURSUANT TO SECTION THREE HUNDRED EIGHTY-ONE OF THE VEHICLE AND TRAFFIC  
12 LAW.

13 (46) SNOWMOBILE HELMETS. FOR PURPOSES OF THIS PARAGRAPH, SNOWMOBILE  
14 HELMETS SHALL MEAN A HELMET DESIGNED TO MEET THE PARKS, RECREATION AND  
15 HISTORIC PRESERVATION COMMISSIONER'S RULES AND REGULATIONS ESTABLISHING  
16 STANDARDS FOR HELMETS PURSUANT TO SECTION 25.17 OF THE PARKS, RECREATION  
17 AND HISTORIC PRESERVATION LAW.

18 (47) EQUESTRIAN HELMETS. FOR PURPOSES OF THIS PARAGRAPH, EQUESTRIAN  
19 HELMETS SHALL MEAN A HELMET DESIGNED TO MEET THE RULES AND REGULATIONS  
20 OF THE COMMISSIONER OF MOTOR VEHICLES ESTABLISHING STANDARDS FOR HELMETS  
21 PURSUANT TO SECTION TWELVE HUNDRED SIXTY-FIVE OF THE VEHICLE AND TRAFFIC  
22 LAW.

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

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1 S 2. This act shall take effect on the first day of the sales tax  
2 quarterly period, as described in subdivision (b) of section 1136 of the  
3 tax law, beginning at least 90 days after the date this act shall have  
4 become a law and shall apply in accordance with the applicable transi-  
5 tional provisions of sections 1106 and 1217 of the tax law.