

6943

2009-2010 Regular Sessions

I N   A S S E M B L Y

March 17, 2009

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Introduced by M. of A. ORTIZ, PEOPLES, BOYLAND, SCHROEDER, JAFFEE --  
Multi-Sponsored by -- M. of A. BROOK-KRASNY, DelMONTE, MAISEL, MAYER-  
SOHN, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the tax law, in relation to exempting medical equipment  
and supplies purchased by a health care facility located in an empire  
zone from the sales and compensating use tax

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

1     Section 1. Subdivision (a) of section 1115 of the tax law is amended  
2     by adding a new paragraph 44 to read as follows:  
3     (44) (I) MEDICAL EQUIPMENT AND MEDICAL SUPPLIES PURCHASED FOR USE BY  
4     HEALTH CARE FACILITIES THAT SERVE UNINSURED PATIENTS LOCATED IN AN AREA  
5     DESIGNATED AS AN EMPIRE ZONE PURSUANT TO ARTICLE EIGHTEEN-B OF THE  
6     GENERAL MUNICIPAL LAW. SUCH EXEMPTION SHALL APPLY TO THE FIRST FIVE  
7     HUNDRED THOUSAND DOLLARS OF MEDICAL EQUIPMENT AND MEDICAL SUPPLIES  
8     PURCHASED BY THE TAXPAYER.  
9     (II) FOR PURPOSES OF THIS SUBDIVISION, THE FOLLOWING TERMS SHALL HAVE  
10    THE FOLLOWING MEANINGS:  
11    (A) "MEDICAL EQUIPMENT" SHALL MEAN DURABLE MEDICAL EQUIPMENT THAT CAN  
12    BE USED REPEATEDLY AND THAT SERVES A MEDICAL PURPOSE IN THE DIAGNOSIS,  
13    TREATMENT OR CARE OF AN INDIVIDUAL;  
14    (B) "MEDICAL SUPPLIES" SHALL MEAN ITEMS THAT ARE CONSUMABLE, EXPENDA-  
15    BLE, DISPOSABLE OR NONDURABLE, AND THAT SERVE A MEDICAL PURPOSE IN THE  
16    DIAGNOSIS, TREATMENT OR CARE OF AN INDIVIDUAL; AND  
17    (C) "HEALTH CARE FACILITY" SHALL MEAN A HOSPITAL AS DEFINED IN ARTICLE  
18    TWENTY-EIGHT OF THE PUBLIC HEALTH LAW.  
19    S 2. This act shall take effect on the first day of a sales tax quar-  
20    terly period, as described in subdivision (b) of section 1136 of the tax  
21    law, next commencing at least sixty days after this act shall have  
22    become law and shall apply in accordance with the applicable transi-

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

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1 tional provisions of sections 1106 and 1217 of the tax law; provided,  
2 further, that the commissioner of taxation and finance shall be author-  
3 ized on and after the date this act shall have become a law to take  
4 steps necessary to implement the provisions of this act on its effective  
5 date.