S T A T E O F N E W Y O R K

7081

2009-2010 Regular Sessions

I N A S S E M B L Y

March 19, 2009

Introduced by M. of A. WALKER, BURLING, McKEVITT, BARRA, RAIA -- Multi-Sponsored by -- M. of A. CONTE, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the counties of Nassau and Suffolk to elect to be exempt from certain taxes related to any geothermal systems installed in such counties

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

Section 1. The tax law is amended by adding two new sections 1115-a and 1115-b to read as follows:

S 1115-A. COUNTY OF NASSAU OPTIONAL EXEMPTION FROM SALES AND USE TAXES FOR THE SALE OR PURCHASE OF ANY GEOTHERMAL SYSTEMS INSTALLED IN SUCH COUNTY. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE COUNTY OF NASSAU MAY ELECT BY LOCAL LAW, FOR A PERIOD OF TIME TO BE ESTABLISHED BY SUCH COUNTY, FOR RECEIPTS FOR ANY SALE OR PURCHASE OF GEOTHERMAL SYSTEMS INSTALLED IN SUCH COUNTY TO BE EXEMPT FROM THE TAX ON RETAIL SALES IMPOSED UNDER SUBDIVISION (A) OF SECTION ELEVEN HUNDRED FIVE OF THIS ARTICLE AND THE COMPENSATING USE TAX IMPOSED UNDER SECTION ELEVEN HUNDRED TEN OF THIS ARTICLE.

S 1115-B. COUNTY OF SUFFOLK OPTIONAL EXEMPTION FROM SALES AND USE TAXES FOR THE SALE OR PURCHASE OF ANY GEOTHERMAL SYSTEMS INSTALLED IN SUCH COUNTY. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE COUNTY OF SUFFOLK MAY ELECT BY LOCAL LAW, FOR A PERIOD OF TIME TO BE ESTABLISHED BY SUCH COUNTY, FOR RECEIPTS FOR ANY SALE OR PURCHASE OF GEOTHERMAL SYSTEMS INSTALLED IN SUCH COUNTY TO BE EXEMPT FROM THE TAX ON RETAIL SALES IMPOSED UNDER SUBDIVISION (A) OF SECTION ELEVEN HUNDRED FIVE OF THIS ARTICLE AND THE COMPENSATING USE TAX IMPOSED UNDER SECTION ELEVEN HUNDRED TEN OF THIS ARTICLE.

S 2. This act shall take effect immediately.

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

LBD04243-02-9