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

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2011-2012 Regular Sessions

I N A S S E M B L Y

June 17, 2011

Introduced by M. of A. SCARBOROUGH, TENNEY, ABINANTI, BLANKENBUSH, BURLING, CROUCH, LOSQUADRO, D. MILLER, MONTESANO, RA, REILICH, MURRAY, GOODELL -- Multi-Sponsored by -- M. of A. BARCLAY, CALHOUN, CERETTO, JOHNS, McLAUGHLIN, PALMESANO, SAYWARD -- read once and referred to the Committee on Ways and Means

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:

Section 1. Subdivision 6 of section 186-f of the tax law is REPEALED and a new subdivision 6 is added to read as follows:

6. DISTRIBUTION. THE MONIES COLLECTED FROM THE SURCHARGE IMPOSED BY THIS SECTION SHALL BE DISTRIBUTED IN THE FOLLOWING MANNER:

(A) FIFTY-EIGHT AND THREE-TENTHS PERCENT SHALL BE USED FOR THE PROVISION OF GRANTS OR REIMBURSEMENTS TO COUNTIES FOR THE DEVELOPMENT, CONSOLIDATION, OR OPERATION OF PUBLIC SAFETY COMMUNICATIONS SYSTEMS OR NETWORKS DESIGNED TO SUPPORT STATEWIDE INTEROPERABLE COMMUNICATIONS FOR FIRST RESPONDERS, INCLUDING NEXT GENERATION 911, TO BE DISTRIBUTED PURSUANT TO STANDARDS AND GUIDELINES ISSUED BY THE STATE. ANNUAL GRANTS MAY CONSIDER COSTS BORNE BY A MUNICIPALITY RELATED TO THE ISSUANCE OF LOCAL PUBLIC SAFETY COMMUNICATIONS BONDS PURSUANT TO SECTION TWENTY-FOUR HUNDRED THIRTY-TWO OF THE PUBLIC AUTHORITIES LAW, WHEN THE MUNICIPALITY HAS QUALIFIED AS AN APPROVED PARTICIPANT IN A STATEWIDE INTEROPERABLE COMMUNICATIONS SYSTEM UNDER THE STANDARDS AND GUIDELINES ISSUED BY THE STATE, AND MAINTAINS COMPLIANCE WITH SUCH STANDARDS AND GUIDELINES. THE GRANT AMOUNT WILL BE PRESCRIBED PURSUANT TO AN AGREEMENT WITH THE MUNICIPALITY, AND MAY NOT EXCEED THIRTY PERCENT OF THE ANNUAL COST BORNE BY THE MUNICIPALITY IN RELATION TO SUCH BONDS; AND

(B) FORTY-ONE AND SEVEN-TENTHS PERCENT SHALL BE JOINTLY APPORTIONED, PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER, TO:

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

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(I) THE STATE POLICE, (II) THE NEW YORK STATE EMERGENCY SERVICES REVOLVING LOAN FUND, (III) PROVIDE FOR THE COSTS OF DEBT SERVICE FOR BONDS AND NOTES ISSUED TO FINANCE EXPEDITED DEPLOYMENT FUNDING PURSUANT TO THE PROVISIONS OF SECTION THREE HUNDRED THIRTY-THREE OF THE COUNTY LAW AND SECTION SIXTEEN HUNDRED EIGHTY-NINE-H OF THE PUBLIC AUTHORITIES LAW, AND (IV) PROVIDE FOR SERVICES AND EXPENSES THAT SUPPORT THE OPERATIONS AND MISSION OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AS APPROPRIATED BY THE LEGISLATURE.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.