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

1082--A

2011-2012 Regular Sessions

I N S E N A T E

January 5, 2011

Introduced by Sens. PARKER, DIAZ, DUANE, MONTGOMERY, PERKINS, SAMPSON, SERRANO, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to suspending imposition of the compensating use tax on heating fuels for certain senior citizens

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

Section 1. Section 1115 of the tax law is amended by adding a new subdivision (hh) to read as follows:

(HH) RECEIPTS FROM THE SALE OF HEATING FUELS SOLD DURING THE MONTHS OF DECEMBER, JANUARY, AND FEBRUARY, WHICH ARE SOLD FOR HOME USE BY PERSONS SIXTY-FIVE YEARS OLD OR OLDER WHO DO NOT QUALIFY FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM ESTABLISHED BY SECTION NINETY-SEVEN OF THE SOCIAL SERVICES LAW, BUT WHOSE INCOME IS NOT ABOVE FIVE HUNDRED DOLLARS MORE THAN THE QUALIFYING INCOME FOR SUCH PROGRAM, SHALL BE EXEMPT FROM THE TAX ON RETAIL SALES 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.

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