

5059

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to extending the expiration of the provisions authorizing the county of Chautauqua to impose an additional one-half of one percent sales and compensating use taxes

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

1 Section 1. Item (iv) of clause 38 of subparagraph (i) of the opening  
2 paragraph of section 1210 of the tax law, as added by chapter 174 of the  
3 laws of 2009, is amended to read as follows:

4 (iv) one-half of one percent additional to the three percent rate  
5 authorized above in this paragraph for such county for the period begin-  
6 ning December first, two thousand ten and ending November thirtieth, two  
7 thousand [eleven] THIRTEEN;

8 S 2. Section 1262-o of the tax law, as amended by chapter 174 of the  
9 laws of 2009, is amended to read as follows:

10 S 1262-o. Disposition of net collections from the additional rate of  
11 sales and compensating use taxes in the county of Chautauqua. Notwith-  
12 standing any contrary provision of law, if the county of Chautauqua  
13 imposes the additional one and one-quarter percent rate of sales and  
14 compensating use taxes authorized by section twelve hundred ten of this  
15 article for all or any portion of the period beginning March first, two  
16 thousand five and ending August thirty-first, two thousand six, the  
17 additional one percent rate authorized by such section for all or any of  
18 the period beginning September first, two thousand six and ending Novem-  
19 ber thirtieth, two thousand seven, the additional three-quarters of one  
20 percent rate authorized by such section for all or any of the period  
21 beginning December first, two thousand seven and ending November thirti-  
22 eth, two thousand ten, the county shall allocate one-fifth of the net  
23 collections from the additional three-quarters of one percent to the

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

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1 cities, towns and villages in the county on the basis of their respec-  
2 tive populations, determined in accordance with the latest decennial  
3 federal census or special population census taken pursuant to section  
4 twenty of the general municipal law completed and published prior to the  
5 end of the quarter for which the allocation is made, and allocate the  
6 remainder of the net collections from the additional three-quarters of  
7 one percent as follows: (1) to pay the county's expenses for Medicaid  
8 and other expenses required by law; (2) to pay for local road and bridge  
9 projects; (3) for the purposes of capital projects and repaying any  
10 debts incurred for such capital projects in the county of Chautauqua  
11 that are not otherwise paid for by revenue received from the mortgage  
12 recording tax; and (4) for deposit into a reserve fund for bonded  
13 indebtedness established pursuant to the general municipal law. Notwith-  
14 standing any contrary provision of law, if the county of Chautauqua  
15 imposes the additional one-half percent rate of sales and compensating  
16 use taxes authorized by such section twelve hundred ten for all or any  
17 of the period beginning December first, two thousand ten and ending  
18 November thirtieth, two thousand [eleven] THIRTEEN, the county shall  
19 allocate three-tenths of the net collections from the additional one-  
20 half of one percent to the cities, towns and villages in the county on  
21 the basis of their respective populations, determined in accordance with  
22 the latest decennial federal census or special population census taken  
23 pursuant to section twenty of the general municipal law completed and  
24 published prior to the end of the quarter for which the allocation is  
25 made, and allocate the remainder of the net collections from the addi-  
26 tional one-half of one percent as follows: (1) to pay the county's  
27 expenses for Medicaid and other expenses required by law; (2) to pay for  
28 local road and bridge projects; (3) for the purposes of capital projects  
29 and repaying any debts incurred for such capital projects in the county  
30 of Chautauqua that are not otherwise paid for by revenue received from  
31 the mortgage recording tax; and (4) for deposit into a reserve fund for  
32 bonded indebtedness established pursuant to the general municipal law.  
33 The net collections from the additional rates imposed pursuant to this  
34 section shall be deposited in a special fund to be created by such coun-  
35 ty separate and apart from any other funds and accounts of the county to  
36 be used for purposes above described.

37 S 3. This act shall take effect immediately.