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

5187--A

2011-2012 Regular Sessions

I N  A S S E M B L Y

February 14, 2011

Introduced by M. of A. WEPRIN -- Multi-Sponsored by -- M. of A. SALADINO -- read once and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to establishing a credit for the installation of a seat belt violation alert system

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

Section 1. Section 210 of the tax law is amended by adding a new subdivision 45 to read as follows:

45. CREDIT FOR INSTALLATION OF SEAT BELT VIOLATION ALERT SYSTEM. (A) A TAXPAYER SHALL BE ALLOWED A CREDIT, TO BE COMPUTED AS HEREINAFTER PROVIDED, AGAINST THE TAX IMPOSED BY THIS ARTICLE, FOR THE PURCHASE, OTHER THAN FOR RESALE, AND INSTALLATION OF A SEAT BELT VIOLATION ALERT SYSTEM.

(B) FOR THE PURPOSES OF THIS SUBDIVISION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(1) "ELECTRONIC INDICATOR" SHALL MEAN ANY DISPLAY SYSTEM ON THE OUTSIDE OF A MOTOR VEHICLE THAT REGISTERS THE FAILURE OF A PASSENGER TO PROPERLY SECURE THEIR SAFETY BELT WITHIN SUCH VEHICLE.

(2) "SEAT BELT VIOLATION ALERT SYSTEM" SHALL MEAN ANY DEVICE, WHICH, UPON INSTALLATION IN AND ON A MOTOR VEHICLE, SIGNALS OR OTHERWISE ALERTS POLICE OFFICERS, BY WAY OF AN ELECTRONIC INDICATOR ON THE OUTSIDE OF THE VEHICLE, THAT AN INDIVIDUAL IN SUCH VEHICLE HAS FAILED TO PROPERLY SECURE THEIR SAFETY BELT.

(C) THE AMOUNT OF CREDIT SHALL BE FIFTY PERCENT OF THE COST TO THE TAXPAYER FOR THE PURCHASE AND INSTALLATION OF SUCH SECURITY SYSTEM DURING THE TAXABLE YEAR OF PURCHASE, SUCH CREDIT NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS WITH RESPECT TO EACH PURCHASE AND INSTALLATION. THE CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR SHALL NOT

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

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REDUCE THE TAX DUE FOR SUCH YEAR TO LESS THAN THE HIGHER OF THE AMOUNTS PRESCRIBED IN PARAGRAPHS (C) AND (D) OF SUBDIVISION ONE OF THIS SECTION.

S 2. Section 606 of the tax law is amended by adding a new subsection (s-1) to read as follows:

(S-1) CREDIT FOR INSTALLATION OF SEAT BELT VIOLATION ALERT SYSTEM. A TAXPAYER SHALL BE ALLOWED A CREDIT AS HEREINAFTER PROVIDED, AGAINST THE TAX IMPOSED BY THIS ARTICLE FOR THE PURCHASE AND INSTALLATION OF A SEAT BELT VIOLATION ALERT SYSTEM, AS SUCH TERM IS DEFINED IN SUBDIVISION FORTY-FIVE OF SECTION TWO HUNDRED TEN OF THIS CHAPTER. THE AMOUNT OF CREDIT SHALL BE FIFTY PERCENT OF THE COST OF THE TAXPAYER OF THE PURCHASE AND INSTALLATION OF THE SECURITY SYSTEM DURING THE TAXABLE YEAR, SUCH CREDIT NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS WITH RESPECT TO EACH SYSTEM PURCHASED AND INSTALLED.

S 3. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xxxiv) to read as follows:

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| (XXXIV) CREDIT FOR INSTALLATION OF SEAT BELT VIOLATION ALERT SYSTEM UNDER SUBSECTION (S-1) | AMOUNT OF CREDIT UNDER SUBDIVISION FORTY-FIVE OF SECTION TWO HUNDRED TEN |

S 4. This act shall take effect on the first of January next succeeding the date on which it shall become a law.