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

8129

2011-2012 Regular Sessions

I N A S S E M B L Y

June 2, 2011

Introduced by M. of A. SCHIMMINGER -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the determination of sales and compensating use taxes due

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

Section 1. Subdivision (a) of section 1138 of the tax law is amended by adding a new paragraph 5 to read as follows:

(5) WHENEVER A RETURN REQUIRED BY THIS ARTICLE IS NOT FILED, OR IF A RETURN WHEN FILED IS INCORRECT OR INSUFFICIENT, AND THE AMOUNT OF TAX DUE IS DETERMINED BY THE COMMISSIONER FROM SUCH INFORMATION AS MAY BE AVAILABLE PURSUANT TO PARAGRAPH ONE OF THIS SUBDIVISION, ANY EXTERNAL INDICES USED TO ESTIMATE THE TAX DUE SHALL REFLECT THE LOCAL ECONOMIC CONDITIONS.

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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