

8499

2011-2012 Regular Sessions

I N A S S E M B L Y

June 20, 2011

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

AN ACT to amend the tax law, in relation to extending the authority of the county of Nassau to impose additional sales and compensating use taxes, and extending local government assistance programs in Nassau county

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

1 Section 1. Clause 2 of subparagraph (i) of the opening paragraph of
2 section 1210 of the tax law, as amended by chapter 286 of the laws of
3 2009, is amended to read as follows:
4 (2) the county of Nassau is hereby further authorized and empowered to
5 adopt and amend local laws, ordinances or resolutions imposing such
6 taxes at a rate which is three-quarters percent additional to the three
7 percent rate authorized above in this paragraph for such county for the
8 period beginning January first, nineteen hundred eighty-six and ending
9 November thirtieth, two thousand [eleven] THIRTEEN, subject to the limitation
10 set forth in section twelve hundred sixty-two-e of this article,
11 and also at a rate which is one-half percent additional to the three
12 percent rate authorized above in this paragraph, and which is also additional
13 to the three-quarters percent rate also authorized above in this
14 clause for such county, for the period beginning September first, nineteen
15 hundred ninety-one and ending November thirtieth, two thousand
16 [eleven] THIRTEEN;
17 S 2. Section 1262-e of the tax law, as amended by chapter 286 of the
18 laws of 2009, is amended to read as follows:
19 S 1262-e. Establishment of local government assistance programs in
20 Nassau county. 1. Towns and cities. Notwithstanding any other provision
21 of law to the contrary, for the calendar year beginning on January
22 first, nineteen hundred ninety-eight and continuing through the calendar
23 year beginning on January first, two thousand [eleven] THIRTEEN, the

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

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1 county of Nassau shall enact and establish a local government assistance
2 program for the towns and cities within such county to assist such towns
3 and cities to minimize real property taxes; defray the cost and expense
4 of the treatment, collection, management, disposal, and transportation
5 of municipal solid waste, and to comply with the provisions of chapter
6 two hundred ninety-nine of the laws of nineteen hundred eighty-three;
7 and defray the cost of maintaining conservation and environmental
8 control programs. Such special assistance program for the towns and
9 cities within such county and the funding for such program shall equal
10 one-third of the revenues received by such county from the imposition of
11 the three-quarters percent sales and use tax during calendar years two
12 thousand one, two thousand two, two thousand three, two thousand four,
13 two thousand five, two thousand six, two thousand seven, two thousand
14 eight, two thousand nine, two thousand ten, [and] two thousand eleven,
15 TWO THOUSAND TWELVE AND TWO THOUSAND THIRTEEN additional to the regular
16 three percent rate authorized for such county in section twelve hundred
17 ten of this article. The monies for such special local assistance shall
18 be paid and distributed to the towns and cities on a per capita basis
19 using the population figures in the latest decennial federal census.
20 Provided further, that notwithstanding any other law to the contrary,
21 the establishment of such special assistance program shall preclude any
22 city or town within such county from preempting or claiming under any
23 other section of this chapter the revenues derived from the additional
24 tax authorized by section twelve hundred ten of this article. Provided
25 further, that any such town or towns may, by resolution of the town
26 board, apportion all or a part of monies received in such special
27 assistance program to an improvement district or special district
28 account within such town or towns in order to accomplish the purposes of
29 this special assistance program.

30 2. Villages. Notwithstanding any other provision of law to the contra-
31 ry, for the calendar year beginning on January first, nineteen hundred
32 ninety-eight and continuing through the calendar year beginning on Janu-
33 ary first, two thousand [eleven] THIRTEEN, the county of Nassau, by
34 local law, is hereby empowered to enact and establish a local government
35 assistance program for the villages within such county to assist such
36 villages to minimize real property taxes; defray the cost and expense of
37 the treatment, collection, management, disposal, and transportation of
38 municipal solid waste; and defray the cost of maintaining conservation
39 and environmental control programs. The funding of such local assistance
40 program for the villages within such county may be provided by Nassau
41 county during any calendar year in which such village local assistance
42 program is in effect and shall not exceed one-sixth of the revenues
43 received from the imposition of the three-quarters percent sales and use
44 tax that are remaining after the towns and cities have received their
45 funding pursuant to the provisions of subdivision one of this section.
46 The funding for such village local assistance program shall be paid and
47 distributed to the villages on a per capita basis using the population
48 figures in the latest decennial federal census. Provided further, that
49 the establishment of such village local assistance program shall
50 preclude any village within such county from preempting or claiming
51 under any other section of this chapter the revenues derived from the
52 additional tax authorized by section twelve hundred ten of this article.

53 S 3. This act shall take effect immediately.