

3878--A

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to authorizing the county of Putnam to exempt from county sales and compensating use taxes certain clothing and footwear, during the period commencing on August sixteenth and through August twenty-fifth, two thousand thirteen

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

1 Section 1. Section 1210 of the tax law is amended by adding a new  
2 subdivision (q) to read as follows:

3 (Q) NOTWITHSTANDING ANY PROVISION OF STATE OR LOCAL LAW, ORDINANCE OR  
4 RESOLUTION TO THE CONTRARY:

5 (1) THE COUNTY OF PUTNAM IS HEREBY AUTHORIZED TO EXEMPT FROM THE TAXES  
6 IT IMPOSES PURSUANT TO PARAGRAPH ONE OF SUBDIVISION (A) OF THIS SECTION,  
7 CLOTHING AND FOOTWEAR AS DESCRIBED IN PARAGRAPH THIRTY OF SUBDIVISION  
8 (A) OF SECTION ELEVEN HUNDRED FIFTEEN OF THIS CHAPTER FOR THE PERIOD  
9 BEGINNING AUGUST SIXTEENTH, TWO THOUSAND THIRTEEN, AND ENDING AUGUST  
10 TWENTY-FIFTH, TWO THOUSAND THIRTEEN, BY ENACTING A RESOLUTION IN THE  
11 FORM SET FORTH IN PARAGRAPH TWO OF THIS SUBDIVISION NOT LATER THAN JULY  
12 FIRST, TWO THOUSAND THIRTEEN. SUCH RESOLUTION SHALL NOT BE EFFECTIVE  
13 UNLESS SUCH COUNTY MAILES A CERTIFIED COPY OF THE RESOLUTION BY CERTIFIED  
14 OR REGISTERED MAIL TO THE COMMISSIONER AT THE COMMISSIONER'S OFFICE IN  
15 ALBANY NOT LATER THAN JULY FIRST, TWO THOUSAND THIRTEEN, AND THE COUNTY  
16 ALSO FILES CERTIFIED COPIES OF SUCH RESOLUTION WITH THE COUNTY CLERK OF  
17 THE COUNTY OF PUTNAM, THE SECRETARY OF STATE AND THE STATE COMPTROLLER  
18 WITHIN FIVE DAYS AFTER THE DATE THE RESOLUTION IS ENACTED.

19 (2) FORM OF RESOLUTION: BE IT ENACTED BY THE (INSERT PROPER TITLE OF  
20 LOCAL LEGISLATIVE BODY) AS FOLLOWS:

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

LBD07359-02-3

1 SECTION ONE. FOR THE PERIOD BEGINNING AUGUST 16, 2013 AND ENDING  
2 AUGUST 25, 2013, RECEIPTS FROM SALES OF AND CONSIDERATION GIVEN OR  
3 CONTRACTED TO BE GIVEN FOR CLOTHING AND FOOTWEAR EXEMPT FROM STATE SALES  
4 AND COMPENSATING USE TAXES PURSUANT TO PARAGRAPH 30 OF SUBDIVISION (A)  
5 OF SECTION 1115 OF THE TAX LAW SHALL ALSO BE EXEMPT FROM THE SALES AND  
6 COMPENSATING USE TAXES IMPOSED BY THIS JURISDICTION.

7 SECTION TWO. THIS RESOLUTION SHALL TAKE EFFECT AUGUST 16, 2013, AND  
8 SHALL APPLY TO SALES MADE AND USES OCCURRING ON AND AFTER THAT DATE IN  
9 ACCORDANCE WITH THE APPLICABLE TRANSITIONAL PROVISIONS IN SECTIONS 1106  
10 AND 1217 OF THE TAX LAW AND SHALL CEASE TO APPLY WITH REGARD TO SALES  
11 MADE AND USES OCCURRING ON OR AFTER AUGUST 26, 2013.

12 (3) IF THE COUNTY OF PUTNAM ADOPTS THE RESOLUTION AUTHORIZED BY THIS  
13 SUBDIVISION, THE TAXES IMPOSED BY SECTION ELEVEN HUNDRED NINE OF THIS  
14 CHAPTER IN SUCH COUNTY SHALL NOT BE AFFECTED AND THE PROVISIONS OF  
15 SUBDIVISION (G) OF SUCH SECTION ELEVEN HUNDRED NINE SHALL NOT APPLY TO  
16 THE EXEMPTION AUTHORIZED BY THIS SUBDIVISION.

17 S 2. This act shall take effect immediately.