

9599--A

I N A S S E M B L Y

March 21, 2016

Introduced by M. of A. HYNDMAN, BRAUNSTEIN, WALKER, ROBINSON, HUNTER,
SEPULVEDA -- Multi-Sponsored by -- M. of A. CANCEL, HOOPER -- read
once and referred to the Committee on Ways and Means -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the tax law, in relation to creating a vending to food
pantries and soup kitchens tax credit

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

- 1 Section 1. Section 210-B of the tax law is amended by adding a new
2 subdivision 28 to read as follows:
- 3 28. VENDING TO FOOD PANTRY AND SOUP KITCHEN TAX CREDIT. (A) TAXPAYERS
4 WHO OPERATE FARMS IN THE STATE OF NEW YORK AND SELL FRUITS AND VEGETA-
5 BLES GROWN IN NEW YORK TO FOOD PANTRIES AND SOUP KITCHENS MAY CLAIM THE
6 VENDING TO FOOD PANTRY AND SOUP KITCHEN TAX CREDIT AGAINST THE TAX
7 IMPOSED BY THIS ARTICLE AT THE CLOSE OF THE TAX YEAR PROVIDED, HOWEVER,
8 THAT THE UNUSED PORTION OF ANY TAX CREDIT CLAIMED SHALL NOT BE CARRIED
9 FORWARD AND APPLIED TO ANOTHER TAX YEAR.
- 10 (B) THE AMOUNT OF THE CREDIT SHALL BE FIFTY PERCENT OF THE REVENUE
11 EARNED BY THE FARMER FROM THE SALE OF FRUITS AND VEGETABLES GROWN IN NEW
12 YORK TO FOOD PANTRIES AND SOUP KITCHENS.
- 13 (C) TAXPAYERS CLAIMING THE VENDING TO FOOD PANTRY AND SOUP KITCHEN TAX
14 CREDIT SHALL SUBMIT COPIES OF THE SALES RECEIPTS WITH TAX RETURNS THAT
15 CLAIM A TAX CREDIT.
- 16 S 2. Section 606 of the tax law is amended by adding a new subsection
17 (ccc) to read as follows:
- 18 (CCC) VENDING TO FOOD PANTRY AND SOUP KITCHEN TAX CREDIT. (1) A
19 TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTI-
20 CLE FOR REVENUE EARNED BY VENDING FRUITS AND VEGETABLES GROWN IN NEW
21 YORK TO FOOD PANTRIES AND SOUP KITCHENS, TO BE COMPUTED AS PROVIDED IN
22 PARAGRAPH TWO OF THIS SUBSECTION.
- 23 (2) THE AMOUNT OF CREDIT SHALL BE FIFTY PERCENT OF THE REVENUE EARNED
24 BY THE FARMER FROM THE SALE OF FRUITS AND VEGETABLES GROWN IN NEW YORK
25 TO FOOD PANTRIES AND SOUP KITCHENS. IN NO EVENT SHALL THE CREDIT

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

LBD10554-06-6

1 PROVIDED IN THIS SUBSECTION BE ALLOWED IN EXCESS OF THE TAXPAYER'S TAX
2 FOR SUCH YEAR.

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

6 (XLIII) VENDING TO FOOD PANTRY	AMOUNT OF CREDIT UNDER
7 AND SOUP KITCHEN TAX CREDIT	SUBDIVISION TWENTY-EIGHT OF
8 UNDER SUBSECTION (CCC)	SECTION TWO HUNDRED TEN-B

9 S 4. This act shall take effect immediately; provided, however, that
10 the credits established by sections one, two and three of this act shall
11 apply to taxable years beginning on or after January 1, 2017.