

4946--A

2015-2016 Regular Sessions

I N S E N A T E

April 24, 2015

Introduced by Sens. COMRIE, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- 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 ASSEMBLY, 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

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

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1 YORK TO FOOD PANTRIES AND SOUP KITCHENS, TO BE COMPUTED AS PROVIDED IN  
2 PARAGRAPH TWO OF THIS SUBSECTION.

3 (2) THE AMOUNT OF CREDIT SHALL BE FIFTY PERCENT OF THE REVENUE EARNED  
4 BY THE FARMER FROM THE SALE OF FRUITS AND VEGETABLES GROWN IN NEW YORK  
5 TO FOOD PANTRIES AND SOUP KITCHENS. IN NO EVENT SHALL THE CREDIT  
6 PROVIDED IN THIS SUBSECTION BE ALLOWED IN EXCESS OF THE TAXPAYER'S TAX  
7 FOR SUCH YEAR.

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

11 (XLI) VENDING TO FOOD PANTRY	AMOUNT OF CREDIT UNDER SUBDIVISION
12 AND SOUP KITCHEN TAX CREDIT	TWENTY-EIGHT OF SECTION TWO
13 UNDER SUBSECTION (CCC)	HUNDRED TEN-B

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