

5171--A

2015-2016 Regular Sessions

I N S E N A T E

May 6, 2015

Introduced by Sen. RITCHIE -- 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 Jefferson county to impose an additional one percent rate of sales and compensating use taxes

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

1 Section 1. Clause 37 of subparagraph (i) of the opening paragraph of
2 section 1210 of the tax law, as amended by chapter 126 of the laws of
3 2013, is amended to read as follows:
4 (37) the county of Jefferson is hereby further authorized and
5 empowered to adopt and amend local laws, ordinances or resolutions
6 imposing such taxes at a rate which is [three-quarters of] one percent
7 additional to the three percent rate authorized above in this paragraph
8 for such county for the period beginning [September] DECEMBER first, two
9 thousand [four] FIFTEEN, and ending November thirtieth, two thousand
10 [fifteen] SEVENTEEN;
11 S 2. Subparagraph (iii) of the opening paragraph of section 1210 of
12 the tax law, as separately amended by chapters 191, 217 and 325 of the
13 laws of 2013, is amended to read as follows:
14 (iii) the maximum rate referred to in section twelve hundred twenty-
15 four of this article shall be calculated without reference to the
16 following additional rates authorized in subparagraphs (i) and (ii) of
17 this paragraph: one and one-half percent for the county of Allegany; one
18 percent for the counties of Rensselaer, Erie, Cattaraugus, Wyoming,
19 Ulster, Albany, Suffolk, Essex, Greene, Orleans, Franklin, Hamilton,
20 Herkimer, JEFFERSON, Genesee, Columbia, Schuyler, Chenango, Monroe,
21 Steuben, Chemung, Seneca, Livingston, Niagara, Yates, Tioga, Montgomery,
22 Delaware, Wayne, Schoharie, Putnam, Clinton, St. Lawrence and Onondaga

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

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1 and the cities of Yonkers, Mount Vernon and New Rochelle; three-quarters
2 of one percent for the counties of Dutchess, Lewis, AND Orange[, and
3 Jefferson]; one percent and three-quarters of one percent or one-half of
4 one percent for the county of Oneida; three-quarters of one percent and
5 one-half of one percent for the county of Nassau; one-half of one
6 percent and one-quarter of one percent and one-quarter of one percent
7 for the city of White Plains; one-half or one percent for the county of
8 Tompkins; three-eighths of one percent and five-eighths of one percent
9 for the county of Rockland; one-half of one percent for the counties of
10 Putnam and Schenectady; one-eighth of one percent and three-eighths of
11 one percent for the county of Ontario; one-half of one percent and one-
12 half of one percent for the county of Sullivan; and three-quarters of
13 one percent or one-half of one percent for the county of Chautauqua;

14 S 3. Subdivision (dd) of section 1224 of the tax law, as added by
15 chapter 141 of the laws of 2004, is amended to read as follows:

16 (dd) The county of Jefferson shall have the sole right to impose the
17 additional [three-quarters of] one percent rate of tax which such county
18 is authorized to impose pursuant to the authority of section twelve
19 hundred ten of this article. Such additional rate of tax shall be in
20 addition to any other tax which such county may impose or may be impos-
21 ing pursuant to this article or any other law and such additional rate
22 of tax shall not be subject to preemption. The maximum three percent
23 rate referred to in this section shall be calculated without reference
24 to the additional [three-quarters of] one percent rate of tax which the
25 county of Jefferson is authorized and empowered to adopt pursuant to
26 section twelve hundred ten of this article.

27 S 4. This act shall take effect December 1, 2015, provided that,
28 effective immediately, Jefferson county, acting through its local legis-
29 lative body, shall be authorized and empowered to adopt and amend local
30 laws, ordinances or resolutions imposing the additional rate of tax
31 authorized by section one of this act effective December 1, 2015,
32 subject to the provisions of subdivisions (d) and (e) of section 1210 of
33 the tax law.