STATE OF NEW YORK

10354--B

IN ASSEMBLY

April 17, 2018

Introduced by M. of A. PAULIN, BUCHWALD, GALEF, SEAWRIGHT, DINOWITZ, ZEBROWSKI, GOTTFRIED, SIMON, MAGNARELLI, FAHY, D'URSO, LIFTON, BLAKE, MOSLEY, ABINANTI, OTIS -- Multi-Sponsored by -- M. of A. COOK, LAWRENCE, THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to limitations on political activity

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 4 of subdivision (a) of section 1116 of the tax law, as amended by chapter 270 of the laws of 2001, is amended to read as follows:

(4) Any corporation, association, trust, or community chest, fund, foundation, or limited liability company, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, (except as otherwise provided in subsection (h) of section five hundred one of the United States internal revenue code of nineteen hundred fifty-four, as amended), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of **or in opposition to** any candidate for public office**. The provisions of this paragraph regarding political campaign activity shall be interpreted in the same manner as section 501(c)(3) of the United States internal revenue code has been interpreted as of the effective date of the chapter of the laws of two thousand eighteen that amended this paragraph**;

§ 2. This act shall take effect immediately.

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

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