# STATE OF NEW YORK

584

2017-2018 Regular Sessions

# IN ASSEMBLY

January 9, 2017

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law and the environmental conservation law, in relation to establishing an oyster shell recycling tax credit

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

Section 1. Section 210-B of the tax law is amended by adding a new subdivision 52 to read as follows:

**52. Oyster shell recycling credit. A taxpayer shall be allowed a credit, to be computed as hereinafter provided against the tax imposed by this article, for the recycling of oyster shells. The amount of the credit shall be the lesser of one thousand dollars, or ten cents multiplied by the number of pounds of oyster shells certified by the New York state department of environmental conservation. The credit allowed under this subdivision for any taxable year shall not reduce the tax due for such year to less than the fixed dollar minimum amount prescribed in paragraph (d) of subdivision one of section two hundred ten of this article.**

§ 2. Section 606 of the tax law is amended by adding a new subsection (hhh) to read as follows:

**(hhh) Oyster shell recycling credit. (1) A taxpayer shall be allowed a credit, to be computed as hereinafter provided against the tax imposed by this article, for the recycling of oyster shells.**

**(2) The amount of the credit shall be the lesser of one thousand dollars, or ten cents multiplied by the number of pounds of oyster shells certified by the New York state department of environmental conservation.**

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

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

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| **(xliii) Oyster shell recycling credit under subsection (hhh)** | **Amount of credit under subdivision 52 of section two hundred ten-B** |

§ 4. Subdivision 1 of section 3-0301 of the environmental conservation law is amended by adding a new paragraph ee to read as follows:

**ee. The department shall establish rules and regulations regarding the verification, certification, and use of oyster shells returned to the department for recycling for the purposes of the oyster shell recycling tax credit provided in sections two hundred ten-B and six hundred six of the tax law.**

§ 5. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1, 2018.