

STATE OF NEW YORK

8418--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 14, 2017

Introduced by M. of A. LAVINE, RAMOS, D'URSO -- 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 imposing a fifty cent per TNC prearranged trip in a certain county; and to amend the state finance law, in relation to establishing the NICE transit assistance fund

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

1 Section 1. Section 1292 of the tax law, as added by section 18 of part
2 AAA of chapter 59 of the laws of 2017, is amended to read as follows:

3 § 1292. Imposition. (a) There is hereby imposed on every TNC a state
4 assessment fee of 4% of the gross trip fare of every TNC prearranged
5 trip provided by such TNC that originates anywhere in the state outside
6 the city and terminates anywhere in this state.

7 (b) In addition to any other tax, fee or surcharge imposed by this
8 chapter or other law, there is hereby imposed on every TNC an assessment
9 fee of fifty cents per TNC prearranged trip on every TNC prearranged
10 trip provided by or through it that originates in a county with a popu-
11 lation of between one million and one million four hundred thousand as
12 of the last decennial census and terminates anywhere in the state.

13 § 2. Section 1298 of the tax law, as added by section 18 of part AAA
14 of chapter 59 of the laws of 2017, is amended to read as follows:

15 § 1298. Deposit and disposition of revenue. (a) All taxes, fees,
16 interest and penalties collected or received by the commissioner under
17 subsection (a) of section twelve hundred ninety-two of this article
18 shall be deposited and disposed of pursuant to the provisions of section
19 one hundred seventy-one-a of this chapter.

20 (b) All taxes, fees, interest and penalties collected or received by
21 the commissioner under subsection (b) of section twelve hundred ninety-

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

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1 two of this article shall be deposited and disposed of pursuant to
2 section eighty-nine-i of the state finance law.

3 § 3. The state finance law is amended by adding a new section 89-i to
4 read as follows:

5 § 89-i. NICE transit assistance fund. 1. There is hereby established
6 in the joint custody of the state comptroller and the commissioner of
7 taxation and finance a fund to be known as the "NICE transit assistance
8 fund". Monies in the NICE transit assistance fund shall be kept sepa-
9 rately from and shall not be commingled with any other moneys in the
10 joint or sole custody of the state comptroller or the commissioner of
11 taxation and finance.

12 2. The NICE transit assistance fund shall consist of monies collected
13 therefore or credited or transferred thereto from any other fund,
14 account, or source, including a portion of the revenues derived from
15 article twenty-nine-B of the tax law pursuant to subsection (b) of
16 section twelve hundred ninety-eight of the tax law. Any interest
17 received by the comptroller on monies on deposit in the NICE transit
18 assistance fund shall be retained in and become part of such fund.

19 3. Monies in the NICE transit assistance fund shall, following appro-
20 priation by the legislature, be distributed to the county of Nassau or
21 its sub-grantees for the operating expenses thereof incurred for public
22 transportation services and shall only be used to fund public transpor-
23 tation systems eligible to receive operating assistance under the
24 provisions of section eighteen-b of the transportation law.

25 4. All payments of money from the NICE transit assistance fund shall
26 be made on the audit and warrant of the comptroller.

27 § 4. This act shall take effect on the same date and in the same
28 manner as part AAA of chapter 59 of the laws of 2017, takes effect.