STATE OF NEW YORK

8365

IN SENATE

May 3, 2018

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to tax benefits for businesses located in tax-free NY areas

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

Section 1. Subdivision (f) of section 39 of the tax law, as added by section 2 of part A of chapter 68 of the laws of 2013, is amended to read as follows:

(f) Sales and use tax. Such business shall be [~~eligible for a credit or refund for sales and use taxes imposed~~] **exempt from sales and compensating use taxes imposed under articles twenty-eight and twenty-nine of this chapter** on the retail sale of tangible personal property or services under subdivisions (a), (b), and (c) of section eleven hundred five and section eleven hundred ten of this chapter and similar taxes imposed pursuant to the authority of article twenty-nine of this chapter. The [~~credit or refund~~] **exemption** shall be allowed for one hundred twenty consecutive months beginning with the month during which such business locates in the tax-free NY area.

§ 2. Subdivision (a) of section 1116 of the tax law is amended by adding a new paragraph 10 to read as follows:

(10) A business approved pursuant to article twenty-one of the economic development law for a period of up to one hundred twenty consecutive months.

§ 3. This act shall take effect on the first day of the second sales tax quarter following the date on which it shall have become a law.

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

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