

STATE OF NEW YORK

7672

IN SENATE

February 6, 2018

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the general city law, the village law and the tax law, in relation to prohibiting compensation for service of auditing returns or reports relating to certain taxes on utilities on a contingent basis

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

1 Section 1. Section 20-b of the general city law is amended by adding a
2 new undesignated paragraph to read as follows:

3 A city shall not compensate any person or entity in whole or in part
4 on a contingent fee basis or on any other basis related to the amount of
5 tax, interest, or penalty assessed against or collected for the service
6 of auditing a return or report filed pursuant to, or in compliance with,
7 any local law authorized pursuant to this section.

8 § 2. Section 5-530 of the village law is amended by adding a new
9 subdivision 8 to read as follows:

10 8. A village shall not compensate any person or entity in whole or in
11 part on a contingent fee basis or on any other basis related to the
12 amount of tax, interest, or penalty assessed against or collected for
13 the service of auditing a return or report filed pursuant to, or in
14 compliance with, any local law authorized pursuant to this section.

15 § 3. Section 1201 of the tax law is amended by adding a new subdivi-
16 sion (n) to read as follows:

17 (n) Any city in this state having a population of one million or more
18 shall not compensate any person or entity in whole or in part on a
19 contingent fee basis or on any other basis related to the amount of tax,
20 interest, or penalty assessed against or collected, for the service of
21 auditing a return or report filed pursuant to, or in compliance with, a
22 local law authorized pursuant to this section imposing an excise tax on
23 the gross income or gross operating income of utilities and vendors of
24 utility services.

25 § 4. 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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