

# STATE OF NEW YORK

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4589

2019-2020 Regular Sessions

## IN SENATE

March 15, 2019

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

AN ACT to amend the tax law, in relation to the allocation of the funds from wireless communications surcharges imposed by a county containing a city having a population of one hundred twenty-five thousand or more persons

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

1 Section 1. Subdivision 9 of section 186-g of the tax law, as added by  
2 section 3 of part EEE of chapter 59 of the laws of 2017, is amended to  
3 read as follows:

4 9. (a) All surcharge monies remitted to the commissioner under this  
5 section shall be expended only upon authorization of the legislative  
6 body of a city or county that imposes the surcharges pursuant to the  
7 authority of subdivision two of this section, and only for payment of  
8 system costs, eligible wireless 911 service costs, or other costs asso-  
9 ciated with the administration, design, installation, construction,  
10 operation, or maintenance of public safety communications networks or a  
11 system to provide enhanced wireless 911 service serving such city or  
12 county, including, but not limited to, hardware, software, consultants,  
13 financing and other acquisition costs. Such city or county shall sepa-  
14 rately account for and keep adequate books and records of the amount and  
15 object or purpose of all expenditures of all such monies. If, at the end  
16 of any fiscal year, the total amount of all such monies exceeds the  
17 amount necessary for payment of the above mentioned costs in such fiscal  
18 year, such excess shall be reserved and carried over for the payment of  
19 those costs in the following fiscal year.

20 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-  
21 sion, a county that includes a city having a population of one hundred  
22 twenty-five thousand or more people shall distribute a portion of the

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

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1 surcharge funds allocated to the county to such city for the purposes of  
2 the payment of costs related to maintaining such city's public safety  
3 communications network. The amount of such portion shall be calculated  
4 by determining what the percentage of the actual, annual number of 911  
5 calls handled by such city is to the actual, annual number of 911 calls  
6 handled by the county, and allocating the funding accordingly.

7 § 2. This act shall take effect immediately.