STATE OF NEW YORK

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5932--A

Cal. No. 1262

2019-2020 Regular Sessions

IN SENATE

May 16, 2019
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Introduced by Sens. COMRIE, PARKER, RAMOS, SAVINO -- read twice and
  ordered printed, and when printed to be committed to the Committee on
  Investigations and Government Operations -- committee discharged and
  said bill committed to the Committee on Rules -- reported favorably
  from said committee, ordered to a third reading, passed by Senate and
  delivered to the Assembly, recalled, vote reconsidered, restored to
  third reading, amended and ordered reprinted, retaining its place in
  the order of third reading

AN ACT to amend the tax law, in relation to credit card processing fees

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

 1   Section 1. Paragraph 1 of subdivision (b) of section 1299-b of the tax
 2 law, as added by section 2 of part NNN of chapter 59 of the laws of
 3 2018, is amended to read as follows:
 4   (1) The surcharge imposed by this article must be passed along to
 5 passengers and separately stated on any receipt that is provided to such
 6 passengers. The passing along of such surcharge shall not be construed
 7 by any court or administrative body as the imposition of the surcharge
 8 on the person or entity that pays for the for-hire transportation trip.
 9 All regulatory agencies must adjust any fares that are authorized by
10 them to include the surcharge imposed by this article **and are permitted**
11 **to adjust any authorized fares to account for credit card processing**
12 **fees in accordance with this section**, and must require that any meter or
13 other instrument used in any for-hire vehicle regulated by it to calcu-
14 late fares be adjusted to include the surcharge. **For medallion vehicles,**
15 **credit card processing fees shall also be separately stated on any**
16 **receipt that is provided to such passengers.**
17   § 2. This act shall take effect immediately.

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