

# STATE OF NEW YORK

752--A

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. MONTGOMERY, ADDABBO, COMRIE, GOUNARDES, KAPLAN, KENNEDY, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to increasing the tax credit provided for solar energy system equipment from five thousand dollars to ten thousand dollars and the definition of solar energy system equipment

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

1 Section 1. Paragraph 1 of subsection (g-1) of section 606 of the tax  
2 law, as amended by chapter 375 of the laws of 2012, is amended to read  
3 as follows:

4 (1) General. An individual taxpayer shall be allowed a credit against  
5 the tax imposed by this article equal to twenty-five percent of quali-  
6 fied solar energy system equipment expenditures, except as provided in  
7 subparagraph (D) of paragraph two of this subsection. This credit shall  
8 not exceed three thousand seven hundred fifty dollars for qualified  
9 solar energy equipment placed in service before September first, two  
10 thousand six, and five thousand dollars for qualified solar energy  
11 equipment placed in service on or after September first, two thousand  
12 six and prior to July first, two thousand twenty, and ten thousand  
13 dollars for qualified solar energy equipment placed in service on or  
14 after July first, two thousand twenty.

15 § 2. Paragraph 3 of subsection (g-1) of section 606 of the tax law, as  
16 amended by chapter 128 of the laws of 2007, is amended to read as  
17 follows:

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

LBD03437-02-0

1 (3) Solar energy system equipment. The term "solar energy system  
2 equipment" shall mean an arrangement or combination of components  
3 utilizing solar radiation, which, when installed in a residence, produc-  
4 es and may store energy designed to provide heating, cooling, hot water  
5 or electricity for use in such residence. Such arrangement or components  
6 may include electric energy storage equipment but shall not include any  
7 other equipment connected to solar energy system equipment that is a  
8 component of part or parts of a non-solar energy system or which uses  
9 any sort of recreational facility or equipment as a storage medium.  
10 Solar energy system equipment that generates electricity for use in a  
11 residence must conform to applicable requirements set forth in section  
12 sixty-six-j of the public service law. Provided, however, where solar  
13 energy system equipment is purchased and installed by a condominium  
14 management association or a cooperative housing corporation, for  
15 purposes of this subsection only, the term "ten kilowatts" in such  
16 section sixty-six-j shall be read as "fifty kilowatts."  
17 § 3. This act shall take effect immediately and shall apply to taxable  
18 years commencing on and after January 1, 2020.