

# STATE OF NEW YORK

4718

2019-2020 Regular Sessions

## IN SENATE

March 21, 2019

Introduced by Sen. METZGER -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend the tax law and the environmental conservation law, in relation to establishing an oyster shell recycling tax credit

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

1 Section 1. Section 210-B of the tax law is amended by adding a new  
2 subdivision 53 to read as follows:

3 53. Oyster shell recycling credit. A taxpayer shall be allowed a cred-  
4 it, to be computed as hereinafter provided against the tax imposed by  
5 this article, for the recycling of oyster shells. The amount of the  
6 credit shall be the lesser of one thousand dollars, or ten cents multi-  
7 plied by the number of pounds of oyster shells certified by the New York  
8 state department of environmental conservation. The credit allowed under  
9 this subdivision for any taxable year shall not reduce the tax due for  
10 such year to less than the fixed dollar minimum amount prescribed in  
11 paragraph (d) of subdivision one of section two hundred ten of this  
12 article.

13 § 2. Section 606 of the tax law is amended by adding a new subsection  
14 (jjj) to read as follows:

15 (jjj) Oyster shell recycling credit. (1) A taxpayer shall be allowed a  
16 credit, to be computed as hereinafter provided against the tax imposed  
17 by this article, for the recycling of oyster shells.

18 (2) The amount of the credit shall be the lesser of one thousand  
19 dollars, or ten cents multiplied by the number of pounds of oyster  
20 shells certified by the New York state department of environmental  
21 conservation.

22 § 3. Subparagraph (B) of paragraph 1 of subsection (i) of section 606  
23 of the tax law is amended by adding a new clause (xliv) to read as  
24 follows:

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

LBD00526-01-9

1 (xliv) Oyster shell recycling Amount of credit under subdivision  
2 credit under subsection (jjj) 53 of section two hundred ten-B

3 § 4. Subdivision 1 of section 3-0301 of the environmental conservation  
4 law is amended by adding a new paragraph ee to read as follows:

5 ee. The department shall establish rules and regulations regarding the  
6 verification, certification, and use of oyster shells returned to the  
7 department for recycling for the purposes of the oyster shell recycling  
8 tax credit provided in sections two hundred ten-B and six hundred six of  
9 the tax law.

10 § 5. This act shall take effect immediately and shall apply to taxable  
11 years beginning on or after January 1, 2020.