STATE OF NEW YORK

5932

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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:

Section 1. Paragraph 1 of subdivision (b) of section 1299-b of the tax law, as added by section 2 of part NNN of chapter 59 of the laws of 2018, is amended to read as follows:

(1) The surcharge imposed by this article must be passed along to passengers and separately stated on any receipt that is provided to such passengers. The passing along of such surcharge shall not be construed by any court or administrative body as the imposition of the surcharge on the person or entity that pays for the for-hire transportation trip. All regulatory agencies must adjust any fares that are authorized by them to include the surcharge imposed by this article **and are permitted to adjust any authorized fares to account for credit card processing fees in accordance with this section**, and must require that any meter or other instrument used in any for-hire vehicle regulated by it to calculate fares be adjusted to include the surcharge. **Credit card processing fees shall also be separately stated on any receipt that is provided to such passengers.**

§ 2. 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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