STATE OF NEW YORK

1699

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sen. GALLIVAN -- 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, in relation to providing a tax credit for a portion of the cost of qualified densified biomass fuel expenditures; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 606 of the tax law is amended by adding a new subsection (kkk) to read as follows:

(kkk) Credit for qualified densified biomass fuel expenditures. (1) Any resident owner of real property as defined in section one hundred two of the real property tax law shall be allowed a credit against the tax imposed under this article in an amount equal to thirty percent of qualified densified biomass fuel expenditures.

(2) For purposes of this subsection, the following definitions shall apply:

(a) "Qualified densified biomass fuel expenditures" shall mean expenditures for the cost of densified biomass fuel, manufactured in the United States of America, and used to heat a dwelling unit located in the state and used as a residence by the taxpayer, or to heat water for use in such a dwelling unit.

(b) "Densified biomass fuel" shall mean a solid fuel derived by the mechanical densification and refining of biomass sourced from woody or agricultural feedstocks. Such term shall include wood pellets.

(3) If the amount of the credit allowed under this subsection for any taxable year shall exceed the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest shall be paid thereon.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed five years after such effective date.

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

LBD04169-01-1