

STATE OF NEW YORK

4034

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

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

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.

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