STATE OF NEW YORK

535

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAPLAN -- 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 the imposition of the sales tax for purposes of the storage of tangible personal property

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

Section 1. Paragraph 4 of subdivision (c) of section 1105 of the tax law, as amended by chapter 72 of the laws of 1971, is amended to read as follows:

(4) Storing all tangible personal property not held for sale in the regular course of business and the rental of safe deposit boxes or similar space; provided, notwithstanding any other rule or regulation to the contrary, for purposes of the imposition of the sales tax under this paragraph, the tax shall only be assessed for the provision of a place for the storage of goods and/or tangible personal property provided that the physical location of the storage facility itself that is providing the safekeeping of goods and/or tangible personal property is actually located fully within the physical boundaries of the state of New York, without regard to the manner of payment, or where the services arose from, or length of time of the service, provided that the storage service provided is not storage in transit, shall serve as the basis for such imposition. Provider further, the imposition of sales tax for storage services shall not be applicable to any offsite services provided either prior to, or subsequent to, the onsite storage and safekeeping of goods.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2013.

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

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