

# STATE OF NEW YORK

3972

2021-2022 Regular Sessions

## IN SENATE

February 1, 2021

Introduced by Sens. KENNEDY, BIAGGI, O'MARA -- 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 the amount of credit for cider, wine, and liquor under the alcoholic beverage production credit

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 37 of the tax  
2 law, as amended by section 1 of part V of chapter 60 of the laws of  
3 2016, is amended to read as follows:

4 (1) for the first five hundred thousand gallons of:

5 i. beer~~[, cider, wine or liquor]~~ produced in this state in the taxable  
6 year, the credit shall equal fourteen cents per gallon; ~~[and]~~

7 ii. cider, artificially carbonated sparkling cider, and natural spar-  
8 kling cider, containing more than three and two-tenths per centum of  
9 alcohol by volume produced in this state in the taxable year, the credit  
10 shall equal three and seventy-nine hundredths cents per gallon;

11 iii. still wine, artificially carbonated sparkling wine, and natural  
12 sparkling wine produced in this state in the taxable year, the credit  
13 shall equal thirty cents per gallon;

14 iv. liquors containing not more than twenty-four per centum of alcohol  
15 by volume produced in this state in the taxable year, the credit shall  
16 equal two and fifty-four hundredths cents per gallon;

17 v. liquors containing not more than two per centum of alcohol by  
18 volume produced in this state in the taxable year, the credit shall  
19 equal four cents per gallon;

20 vi. all other liquors produced in this state in the taxable year, the  
21 credit shall equal six and forty-four hundredths cents per gallon; and

22 § 2. This act shall take effect immediately and shall apply to taxable  
23 years beginning on or after January 1, 2022.

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

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