STATE OF NEW YORK

1438

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. L. ROSENTHAL, SIMON, KIM, BURGOS, MAMDANI, SEAWRIGHT, GLICK, FORREST, GALLAGHER, GONZALEZ-ROJAS, KELLES, REYES -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to use tax exemptions for certain race horses; and to repeal certain provisions of such law relating thereto

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

Section 1. Paragraph 29 of subdivision (a) of section 1115 of the tax law is REPEALED.

§ 2. Subdivisions 9 and 10 of section 1118 of the tax law are REPEALED.

§ 3. Paragraph (b) of subdivision 2 of section 1118 of the tax law, as added by section 2 of part CC of chapter 59 of the laws of 2017, is amended to read as follows:

(b) Notwithstanding any provision of this article to the contrary, the exclusion in paragraph (a) of this subdivision shall not apply to the use within the state of property or a service purchased outside this state by a nonresident that is not an individual, unless such nonresident has been doing business outside the state for at least six months prior to the date such nonresident brought such property or service into this state. **For purposes of this paragraph, the exclusion in paragraph (a) of this subdivision shall not apply to any nonresident that is not an individual when the property purchased by such nonresident is a horse or horses brought into the state for racing, regardless of whether such nonresident has been doing business outside the state for at least six months prior to the date such horse or horses were brought into the state for racing.**

§ 4. This act shall take effect immediately.

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

LBD00633-01-3