

# STATE OF NEW YORK

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5210

2023-2024 Regular Sessions

## IN SENATE

February 27, 2023

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Introduced by Sens. GALLIVAN, KENNEDY -- 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 exempting railroad rolling  
stock from sales and compensating use taxes

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

1 Section 1. Subdivision (a) of section 1115 of the tax law is amended  
2 by adding a new paragraph 47 to read as follows:

3 (47) Newly manufactured railroad rolling stock used in interstate  
4 commerce sold by the manufacturer. For purposes of this paragraph, the  
5 term "railroad rolling stock" shall mean a device, which is used exclu-  
6 sively upon stationary rails or tracks to transport goods, commodities,  
7 or equipment, including, but not limited to, flat cars, box cars, gondo-  
8 las, hopper cars, or other freight railroad cars.

9 § 2. This act shall take effect on the first day of a sales tax quar-  
10 terly period, as described in subdivision (b) of section 1136 of the tax  
11 law, next commencing at least 60 days after this act shall have become a  
12 law. Effective immediately, the addition, amendment and/or repeal of any  
13 rule or regulation necessary for the implementation of this act on its  
14 effective date are authorized to be made and completed on or before such  
15 effective date.

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

LBD09876-01-3