STATE OF NEW YORK

1947

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. CLARK, LUPARDO, CURRAN, STIRPE, OTIS, STERN, JACKSON, GALLAHAN, BRABENEC, ANGELINO, MILLER, BYRNES, LEMONDES, SILLITTI, GUNTHER, BUTTENSCHON, TAGUE, BARRETT -- read once and referred to the Committee on Ways and Means

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:

Section 1. Paragraph 1 of subdivision (b) of section 37 of the tax law, as amended by section 1 of part V of chapter 60 of the laws of 2016, is amended to read as follows:

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

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

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

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

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

v. liquors containing more than zero per centum of alcohol by volume, but not more than two per centum of alcohol by volume, produced in this state in the taxable year, the credit shall equal zero;

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

§ 2. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1, 2023.

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

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