

# STATE OF NEW YORK

4257--A

2023-2024 Regular Sessions

## IN SENATE

February 7, 2023

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue -- recommitted to the Committee on Budget and Revenue in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to exempting student organizations from sales taxes on certain prepared foods sold

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

1 Section 1. Section 1115 of the tax law is amended by adding a new  
2 subdivision (mm) to read as follows:

3 (mm) (1) Any food or food products that are sold by a student organ-  
4 ization shall be exempt from tax under this article where such food or  
5 food products:

6 (i) are sold heated, sold for consumption on the premises, or have  
7 been prepared by the seller and are ready to be eaten either on or off-  
8 premises; and

9 (ii) the total revenue received from such sales is less than two  
10 hundred fifty dollars.

11 (2) For the purposes of this subdivision, "student organization" shall  
12 mean a general organization of students of a school conducted under the  
13 rules and regulations of the board of education or with its approval,  
14 and engaged in extra classroom activities other than the operation of a  
15 cafeteria or restaurant service.

16 § 2. This act shall take effect immediately.

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

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