STATE OF NEW YORK

8966

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. STECK -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to establishing a tax on digital asset transactions to expand the substance abuse prevention and intervention program to schools in upstate New York

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

Section 1. The tax law is amended by adding a new article 12-B to read as follows:

ARTICLE 12-B

TAX ON DIGITAL ASSET TRANSACTIONS

Section 289-n. Tax on digital asset transactions.

§ 289-n. Tax on digital asset transactions. 1. There is hereby imposed an excise tax on digital asset transactions, including the sale or transfer of digital assets, at a rate of two-tenths percent on and after September first, two thousand twenty-five. The funding shall be used to expand the substance abuse prevention and intervention program to schools in upstate New York.

2. It shall be the duty of the person or persons making or effectuating the sale or transfer to pay the tax provided by this article.

3. For purposes of this article:

(a) "Digital asset" shall mean an asset that is issued, transferred, or both, using distributed ledger or blockchain technology, including, but not limited to, digital currencies, digital coins, digital non-fungible tokens or other similar assets.

(b) "Digital currency" shall mean any type of digital unit that is used as a medium of exchange or a form of digitally stored value. Virtual currency shall be broadly construed to include digital units of exchange that: (i) have a centralized repository or administrator; (ii) are decentralized and have no centralized repository or administrator;

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

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or (iii) may be created or obtained by computing, manufacturing, or other similar effort.

(c) "Distributed ledger or blockchain technology" shall mean a ledger or database that stores shared state by maintaining it across a multiplicity of devices belonging to different entities and securing it through a combination of cryptographic and consensus protocols, where the shared state serves to authenticate, record, share, and/or synchronize transactions involving digital assets or virtual currencies.

§ 2. This act shall take effect immediately.