STATE OF NEW YORK

11591

IN ASSEMBLY

June 5, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lavine) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to assessing a tax on compensation payments from certain federal programs, settlement funds, reimbursements and pardon-related compensation initiatives; and to amend the state finance law, in relation to establishing the public harm mitigation fund

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 section 603-a to read as follows:

§ 603-a. Public harm mitigation assessment tax. In addition to any other tax imposed by this article, there is hereby imposed for each taxable year a separate tax assessment on covered compensation payments received by any resident individual, estate or trust during such taxable year received from any federal program, settlement fund, reimbursement program, pardon-related compensation initiative or similar federally funded mechanism established to compensate individuals for claims arising from investigation, prosecution, incarceration, pardon, commutation or alleged political targeting connected to conduct during the events of January sixth, two thousand twenty-one at the United States capitol building. Such tax assessment shall be equal to one hundred percent of the gross amount of such compensation payment and shall not be reduced pursuant to any deduction, exemption, or credit otherwise authorized pursuant to law.

§ 2. The state finance law is amended by adding a new section 92-kk to read as follows:

§ 92-kk. Public harm mitigation fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the public harm mitigation fund.

2. The public harm mitigation fund shall consist of the revenues derived from the public harm mitigation assessment tax imposed by section six hundred three-a of the tax law.

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

LBD16023-01-6

3. Moneys in the public harm mitigation fund shall be kept separate and shall not be commingled with any other moneys in the custody of the state comptroller and the commissioner of taxation and finance and shall only be expended for the purposes set forth in this section.

4. Moneys in the fund, following appropriation by the legislature, shall be administered by the department of homeland security and emergency services for:

(a) services for victims of political violence and domestic extremism;

(b) security and preparedness initiatives protecting democratic institutions and election infrastructure; and

(c) in consultation and coordination with the commissioner of education, grants for educational programming and instructional materials to support civic education and historical instruction initiatives concerning the January sixth, two thousand twenty-one attack on the United States Capitol and the importance of constitutional governance and democratic institutions.

5. Any moneys remaining in the fund at the end of any fiscal year shall be retained by such fund for expenditure in a succeeding year.

§ 3. This act shall take effect immediately.