

STATE OF NEW YORK

5465

2025-2026 Regular Sessions

IN SENATE

February 21, 2025

Introduced by Sens. COMRIE, HELMING, ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to authorizing municipalities to adopt a sales tax exemption for clothing and footwear after March first; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Subdivision (d) of section 1210 of the tax law, as amended
2 by section 4 of part WW of chapter 60 of the laws of 2016, is amended to
3 read as follows:
4 (d) A local law, ordinance or resolution imposing any tax pursuant to
5 this section, increasing or decreasing the rate of such tax, repealing
6 or suspending such tax, exempting from such tax the energy sources and
7 services described in paragraph three of subdivision (a) or of subdivi-
8 sion (b) of this section or changing the rate of tax imposed on such
9 energy sources and services or providing for the credit or refund
10 described in clause six of subdivision (a) of section eleven hundred
11 nineteen of this chapter, or electing or repealing the exemption for
12 residential solar equipment and electricity in subdivision (ee) of
13 section eleven hundred fifteen of this [~~article~~] chapter, or the
14 exemption for commercial solar equipment and electricity in subdivision
15 (ii) of section eleven hundred fifteen of this [~~article~~] chapter, or
16 electing or repealing the exemption for commercial fuel cell electricity
17 generating systems equipment and electricity generated by such equipment
18 in subdivision (kk) of section eleven hundred fifteen of this [~~article~~]
19 chapter must go into effect only on one of the following dates: March
20 first, June first, September first or December first; provided, that a
21 local law, ordinance or resolution providing for the exemption described
22 in paragraph thirty of subdivision (a) of section eleven hundred fifteen

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

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1 of this chapter [~~ex~~] may go into effect no later than August first; and,
2 provided further, that a local law, ordinance or resolution repealing
3 [~~any such~~] the exemption described in paragraph thirty of subdivision
4 (a) of section eleven hundred fifteen of this chapter or a local law,
5 ordinance or resolution providing for a refund or credit described in
6 subdivision (d) of section eleven hundred nineteen of this chapter or
7 repealing such provision so provided must go into effect only on March
8 first. No such local law, ordinance or resolution shall be effective
9 unless a certified copy of such law, ordinance or resolution is mailed
10 by registered or certified mail to the commissioner at the commission-
11 er's office in Albany at least ninety days prior to the date it is to
12 become effective. However, the commissioner may waive and reduce such
13 ninety-day minimum notice requirement to a mailing of such certified
14 copy by registered or certified mail within a period of not less than
15 thirty days prior to such effective date if the commissioner deems such
16 action to be consistent with the commissioner's duties under section
17 twelve hundred fifty of this article and the commissioner acts by resol-
18 ution. Where the restriction provided for in section twelve hundred
19 twenty-three of this article as to the effective date of a tax and the
20 notice requirement provided for therein are applicable and have not been
21 waived, the restriction and notice requirement in section twelve hundred
22 twenty-three of this article shall also apply.

23 § 2. Severability. If any provision of this act or if any application
24 thereof to any person or circumstance is held invalid, the remainder of
25 this act and the application of the provision to other persons and
26 circumstances shall not be affected thereby.

27 § 3. This act shall take effect immediately and shall expire and be
28 deemed repealed on January 1, 2026.