**S00393 Text:**

 **STATE OF NEW YORK**

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 393

 2025-2026 Regular Sessions

 **IN SENATE**

 **(Prefiled)**

 January 8, 2025

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 Introduced by Sen. PALUMBO -- read twice and ordered printed, and when

 printed to be committed to the Committee on Budget and Revenue

 AN ACT to amend the tax law, in relation to computing sales and compen-

 sating use tax on retail sales of motor fuel and diesel motor fuel at

 a rate of cents per gallon

 **The People of the State of New York, represented in Senate and Assem-**

 **bly, do enact as follows:**

 1 Section 1. Subdivision (m) of section 1111 of the tax law is amended

 2 by adding a new paragraph 8 to read as follows:

 3 **(8) The sales and compensating use taxes imposed by subpart B of part**

 4 **one of article twenty-nine of this chapter in regard to retail sales of**

 5 **motor fuel and diesel motor fuel shall be computed, as determined quar-**

 6 **terly by the commissioner, at a rate of cents per gallon, rounded to the**

 7 **nearest cent, multiplied by the cost of the fuel.**

 8 § 2. Paragraph 2 of subdivision (e) of section 1111 of the tax law is

 9 amended by adding a new subparagraph (iv) to read as follows:

 10 **(iv) Where motor fuel is imported, manufactured or sold in, or diesel**

 11 **motor fuel is sold or used in this state, the sales and compensating use**

 12 **taxes imposed by subpart B of part one of article twenty-nine of this**

 13 **chapter as computed pursuant to subdivision (m) of this section shall be**

 14 **prepaid pursuant to section eleven hundred two of this article on each**

 15 **gallon of fuel.**

 16 § 3. This act shall take effect on the first day of a sales tax quar-

 17 terly period, as described in subdivision (b) of section 1136 of the tax

 18 law, next commencing at least ninety days after the date this act shall

 19 have become a law and shall apply in accordance with the applicable

 20 transitional provisions of sections 1106 and 1217 of the tax law.

 EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets

 [] is old law to be omitted.

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