



New York State Senate Standing Committee on **Budget and Revenue** **Senator Andrew Gounardes**

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

CHAIRMAN
BUDGET & REVENUE

COMMITTEES
CIVIL SERVICE & PENSIONS
FINANCE
HIGHER EDUCATION
INSURANCE
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December 13, 2022

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Budget and Revenue for the 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction,

During the 2022 session, this committee met two times in session and reported 23 bills. The Committee also held a roundtable, titled "Data Financing and the Public Good: Redistribution and the Dividends of the Consumer Data Economy."

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

Andrew Gounardes

2022 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE ON BUDGET AND REVENUE

Senator Andrew Gounardes, Chairperson

Committee Members

Andrew Gounardes, <i>Chair</i> Liz Krueger John C. Liu Julia Salazar	Alexis Weik, <i>Ranking Member</i> Edward A. Rath III
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Committee Staff

Kim Bernstein – Committee Director
Gabriel Paniza – Senior Policy Advisor

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Budget and Revenue has legislative oversight responsibilities for issues concerning the tax laws that directly impact tax credits, sales- and use taxes, and exemptions.

During the 2022 Legislative Session, 296 bills were referred to the Committee for its review. Of these bills, 23 were reported from the Committee. Nine were passed by the Senate, and four passed in both houses. This work was conducted through a series of two committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held a roundtable, titled “Data Financing and the Public Good: Redistribution and the Dividends of the Consumer Data Economy” with the Senate Finance Committee to discuss a data tax, or a tax on digital entities such as websites, platforms, and apps which mine and sell consumer data for profit. An engaging and productive discussion, the roundtable explored a range of ideas for how best to design and implement a statewide data tax, including appropriate targets, tax bases and rates, and potential constitutional and federal statutory challenges to avoid.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

- **S.1333** (Krueger) – *Passed Senate*. This bill enacts the Online Revenues and Expenditures Transparency Act, which authorizes the creation of a single, searchable budget database website to allow New Yorkers to easily find information on State spending and revenue.
- **S.2969A** (Harckham) – *Passed Senate*. This bill enacts the STAR Credit Bill of Rights and establishes the office of STAR Ombudsman to ensure STAR recipients are provided a better understanding of the rebate system.
- **S.7378A** (Harckham) – *Passed Senate and Assembly*. This Registered Opioid Sales for Transparency and Epidemic Recovery (ROSTER) Act provides transparency to the public regarding the 2019 Opioid Stewardship Fund by requiring the Department of Health to publish reports on the Department's website detailing sales of opioids sold in the state.
- **S.8033A** (Bailey) – *Chapter 386 of 2022*. The Diaper Initiative Affordability for Parents and Elderly Remedy (DIAPER) Act exempts adult and children's diapers, including disposable diapers, from sales tax, making them more affordable.
- **S.8143** (Gounardes) – *Reported from Budget and Revenue*. This bill increases the contribution an individual may make to family tuition accounts for each child from \$5,000 to \$10,000.
- **S.8379** (Reichlin-Melnick) – *Reported from Budget and Revenue*. This bill allows for a deduction up to \$2,500 in interest paid to student loans from their taxable income.

TWO HOUSE BILLS

In 2022, four of the 296 bills referred to the Standing Committee on Budget and Revenue passed both houses of the Legislature. Of these bills, the Governor has signed two.

Bill	Sponsor	Summary	Significant Action
S.6871A	Harckham	Provides for taxpayer gifts for Lyme and tick-borne diseases education, research, and prevention and establishes the Lyme and tick-borne diseases education, research, and prevention fund.	Chapter 444 of 2022
S.7365A	Kaplan	Relates to a pilot program providing a tax credit for universal visitability.	Passed Senate & Assembly
S.7378A	Harckham	Requires the Department of Health to publish certain reports on the Department's website detailing sales of opioids sold in the state.	Passed Senate & Assembly
S.8033A	Bailey	Establishes the "Diaper Initiative Affordability for Parents and Elderly Remedy (DIAPER)" Act	Chapter 386 of 2022

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S.27	Kaplan	Relates to pass-through manufacturers zero percent tax rate	Reported from Committee
S.293A	Myrie	Adds certain properties to the definition of a qualified historic home for the historic homeownership rehabilitation credit	Passed Senate
S.642A	Sanders	Provides an exemption for the sale and installation of residential and commercial geothermal heat pump systems equipment	Reported from Committee
S.647	Sanders	Establishes a returning veterans tax credit for businesses that hire veterans and disabled veterans	Reported from Committee
S.1131	Liu	Relates to the individuals who are required to file New York State income tax returns	Passed Senate
S.1333	Krueger	Enacts the Online Revenues and Expenditures Transparency Act	Passed Senate
S.2236	Brooks	Exempts certain retirement plan distributions for income tax purposes	Reported from Committee
S.2969A	Harckham	Enacts the "STAR Credit Bill of Rights" and establishes the office of STAR Ombudsman	Passed Senate
S.3277A	Parker	Establishes a sales tax exemption for energy storage	Reported from Committee
S.3662B	Comrie	Provides a tax credit for the installation of fire sprinkler systems	Reported from Committee
S.3981A	Reichlin-Melnick	Establishes a legal services veterans tax credit for attorneys who perform certain services for veterans and disabled veterans	Reported from Committee
S.3989A	Reichlin-Melnick	Provides a tax credit to certain volunteer firefighters, volunteer ambulance workers, and volunteer emergency medical personnel	Reported from Committee

S.4476	Jackson	Provides an exemption for the sale of the first \$35,000 of a battery, electric, or plug-in hybrid electric vehicle from state sales and compensating use taxes	Reported from Committee
S.6061	Reichlin-Melnick	Increases the personal income tax credit for college tuition expenses	Reported from Committee
S.6786	Hinchey	Exempts animal boarding from sales and use taxes	Reported from Committee
S.6871A	Harckham	Relates to providing for taxpayer gifts for Lyme and tick-borne diseases education, research, and prevention and establishes the Lyme and tick-borne diseases education, research, and prevention fund	Chapter 444 of 2022
S.7365A	Kaplan	Relates to a pilot program providing a tax credit for universal visitability	Passed Senate & Assembly
S.7378A	Harckham	Requires the Department of Health to publish certain reports on the Department's website detailing sales of opioids sold in the state	Passed Senate & Assembly
S.8033A	Bailey	Establishes the "Diaper Initiative Affordability for Parents and Elderly Remedy (DIAPER)" Act	Chapter 386 of 2022
S.8140	Gounardes	Establishes a tax deduction for attorney expenses for pro bono representation of sexual harassment, harassment, or discrimination claims	Reported from Committee
S.8143	Gounardes	Increases to \$10,000 the contribution that a resident taxpayer may make to family tuition accounts for each child during a taxable year	Reported from Committee
S.8332	Myrie	Subtracts from the federal adjusted gross income any income earned by election inspectors, poll clerks, or election coordinators	Passed Senate
S.8379	Reichlin-Melnick	Provides for the deduction of student loan interest from federal adjusted gross income	Reported from Committee



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Committee on Budget and Revenue**