

Amend Senate S6810, Assembly A9810, A BUDGET BILL, AN ACT to amend chapter 405 of the laws of 1999 amending the real property tax law relating to improving the administration of the school tax relief (STAR) program and the tax law,

Page	Line	Amendment
Page 6,	Line 37,	After "beers" insert " <u>, flavored malt beverages, and wine</u> "
Page 25,	Line 44,	After "this chapter and" insert " <u>former</u> "
Page 29,	Line 34,	After " <u>addition to the</u> " insert " <u>tax and</u> "
Page 46,	Lines 28 through 30,	After "fuel rate" strike out " <u>then in effect on the immediately preceding November thirtieth must be adjusted as follows: the rate must be</u> " and insert " <u>is thirty-two and four-tenths cents per gallon</u> "
Page 46,	Line 39,	After " <u>seven.</u> " insert " <u>Provided, however, that the adjusted rate to take effect on December first, two thousand eight must not increase above or decrease below the tax rate described in paragraph one of this subdivision by more than five percent.</u> "
Page 47,	Lines 45 through 47,	After " <u>fuel rate</u> " strike out " <u>in effect on the immediately preceding November thirtieth must be adjusted as follows: the rate must be</u> " and insert " <u>is thirty and sixty-five-hundredths cents per gallon</u> "
Page 47,	Line 56,	After " <u>seven.</u> " insert " <u>Provided, however, that the adjusted rate to take effect on December first, two thousand eight must not increase above or decrease below the tax rate described in paragraph one of this subdivision by more than five percent.</u> "
Page 48,	Lines 39 and 40,	Strike out " <u>in effect on the immediately preceding November thirtieth must be adjusted as follows: the rate must be</u> " and insert " <u>is eight and nine-tenths cents per gallon</u> "
Page 48,	Line 49,	After " <u>seven.</u> " insert " <u>Provided, however, that the adjusted rate to take effect on December first, two thousand eight must not increase above or decrease below the tax rate described in paragraph one of this subdivision by more than five percent.</u> "
Page 50,	Lines 2 through 4,	After " <u>product rate</u> " strike out " <u>in effect on the immediately preceding November thirtieth must be adjusted as follows: the rate must be</u> " and insert " <u>is six and eight-tenths cents per gallon</u> "
Page 50,	Line 13,	After " <u>seven.</u> " insert " <u>Provided, however, that the adjusted rate to take effect on December first, two thousand eight must not increase above or decrease below the tax</u> "

		<u>rate described in paragraph one of this subdivision by more than five percent."</u>
Page 53,	Line 2,	After " <u>provided by</u> " strike out " <u>paragraph one of</u> "
Page 64,	Line 48,	After " <u>See</u> " insert " <u>subparagraph (A) of</u> "
Page 64,	Line 48,	After " <u>paragraph</u> " strike out " <u>eight</u> " and insert " <u>four</u> "
Page 71,	Line 27,	After " <u>subdivision (h)</u> " insert " <u>, paragraph one of subdivision (b),</u> "
Page 71,	Line 28,	After " <u>subdivision (a),</u> " strike out " <u>(b),</u> "
Page 71,	Line 32,	After " <u>accordance with</u> " insert " <u>paragraph two of subdivision (b),</u> "
Page 72,	Line 45,	After " <u>entities.</u> " insert " <u>(1)</u> "
Page 72,	Line 48,	After "chapter where" insert "[" and after "(i)" strike out "["
Page 72,	Line 49,	Insert " <u>(A)</u> " before " <u>that fuel</u> "
Page 72,	Line 50,	After "tion," insert "[" and after "(ii)" insert "] <u>(B)</u> "
Page 72,	Line 53,	After "er and," insert "[" and after "(iii)" strike out "[" and before " <u>the purchaser</u> " insert " <u>(C)</u> "
Page 73,	Line 3,	After "by this" insert "[" and after "section" strike out "["
Page 73,	Line 4,	After "ate]" insert " <u>paragraph</u> "
Page 73,	Line 8,	<u>Before "(C)" insert "(2) A purchase of motor fuel or Diesel motor fuel by an organization described in paragraph one, two or three of subdivision (a) of section eleven hundred sixteen of this chapter where (A) that fuel is for the organization's own use or consumption, (B) the tax imposed pursuant to this article has been paid on the fuel and the entire amount of the tax has been paid by that organization, and (C) the organization possesses documentary proof satisfactory to the commissioner of its payment of the entire amount of the tax imposed pursuant to this article. Provided, however, that the commissioner may require other documentary proof as he or she deems appropriate before issuing any reimbursement of tax provided for by this paragraph, including the expansion of any certification required by subdivisions (g) and (h) of section three hundred one of this article to cover the taxes imposed pursuant to this</u>

		<u>article.</u> "
Page 73,	Line 11,	After "omnibus" insert "[" and after "(i)" insert "]" <u>(A)</u> "
Page 73,	Line 19,	After "[or]" insert "[" and after "(ii)" insert "]" <u>(B)</u> "
Page 73,	Line 20,	After "law, or" strike out " <u>(iii)</u> " and insert " <u>(C)</u> "
Page 73,	Line 21,	After " <u>this state.</u> " insert " <u>Provided, however, the omnibus carriers described in subparagraph (C) of this paragraph are eligible for reimbursement of the tax imposed by section three hundred one of this article in the amount of three cents per gallon.</u> "
Page 73,	Line 21,	After "Provided," insert "[" and after "however" insert "]" <u>further</u> "
Page 73,	Line 40,	After " <u>this state</u> " insert " <u>is eligible for reimbursement of the tax imposed by section three hundred one of this article in the amount of three cents per gallon with respect to that gallonage.</u> "
Page 85,	Lines 2 through 38,	After "REPEALED" insert "." and strike out "and a new section 301-j is added to read as follows: <u>§ 301-j. Deposit and disposition of revenue. All monies directed to be distributed in this section pursuant to the vehicle and traffic law shall be deposited, on or before the fifteenth day of each succeeding month, proportionately into the following dedicated fund accounts without priority. sixty-three percent in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law, thirty-four percent in the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law to be distributed as follows: eighty-five percent of such amount shall be allocated to the New York city transit authority and its subsidiaries and the Staten Island rapid transit operating authority and fifteen percent of such amount shall be allocated to the Long Island Rail Road Company and metro north commuter railroad company in accordance with the procedures for payment and distribution specified in section twelve hundred seventy-c of the public authorities law, for payment, subject to appropriation, to the metropolitan transportation authority dedicated tax fund established pursuant to section twelve hundred seventy-c of the public authorities law. and three percent in</u>

		<p><u>such dedicated mass transportation trust fund to be distributed, subject to appropriation, for purposes authorized by section eighty-nine-c of the state finance law, to entities other than the mass transit operating agencies which receive money from the metropolitan transportation authority dedicated tax fund. Notwithstanding any general or special law to the contrary, other than a law which makes specific reference to this sentence of this section, so long as such metropolitan transportation authority dedicated tax fund shall exist, any appropriation from the dedicated mass transportation trust fund to the metropolitan transportation authority, its affiliates or its subsidiaries shall be deemed to be an appropriation to the metropolitan transportation authority and the total amount paid pursuant to such appropriation or appropriations or section thirty-one of chapter fifty-six of the laws of nineteen hundred ninety-three including the second clause of the first sentence of subdivisions a and b thereof, shall be deposited to such metropolitan transportation authority dedicated tax fund and distributed in accordance with the provisions of section twelve hundred seventy-c of the public authorities law."</u></p>
Page 157,	Between lines 32 and 33,	<p>Insert "§ 83. Paragraph (b) of subdivision 1-a of section 318 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>(b) Notwithstanding the provisions of paragraph (a) of this subdivision, an order of suspension issued pursuant to paragraph (a) or (e) of this subdivision may be terminated if the registrant pays to the commissioner a civil penalty in the amount of eight dollars for each day up to thirty days for which financial security was not in effect, plus ten dollars for each day from the thirty-first to the sixtieth day for which financial security was not in effect, plus twelve dollars for each day from the sixty-first to the ninetieth day for which financial security was not in effect. Of each eight dollar penalty, six dollars will be deposited in the general fund and two dollars in the miscellaneous special revenue fund - compulsory insurance account. Of each ten dollar penalty collected, six dollars will be deposited in the general fund, two dollars will be deposited in the miscellaneous special revenue fund - compulsory insurance account, and two dollars shall be deposited in the dedicated</p>

		<p>highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of this subdivision</u>. Of each twelve dollar penalty collected, six dollars will be deposited into the general fund, two dollars will be deposited into the miscellaneous special revenue fund - compulsory insurance account, and four dollars shall be deposited in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of this subdivision</u>. The foregoing provision shall apply only once during any thirty-six month period and only if the registrant surrendered the certificate of registration and number plates to the commissioner not more than ninety days from the date of termination of financial security or submits to the commissioner new proof of financial security which took effect not more than ninety days from the termination of financial security.</p> <p>§ 84. Subdivision 1-a of section 318 of the vehicle and traffic law is amended by adding a new paragraph (h) to read as follows:</p> <p><u>(h) Deposit and disposition of revenue. All monies directed to be distributed by paragraph (b) of this subdivision shall be deposited, on or before the fifteenth day of each succeeding month, proportionately into the following dedicated fund accounts without priority; sixty-three percent in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law, thirty-four percent in the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law to be distributed as follows: eighty-five percent of such amount shall be allocated to the New York city transit authority and its subsidiaries and the Staten Island rapid transit operating authority and fifteen percent of such amount shall be allocated to the Long Island rail road company and metro</u></p>
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		<p><u>north commuter railroad company in accordance with the procedures for payment and distribution specified in section one thousand two hundred seventy-c of the public authorities law, for payment, subject to appropriation, to the metropolitan transportation authority dedicated tax fund established pursuant to section twelve hundred seventy-c of the public authorities law, and three percent in such dedicated mass transportation trust fund to be distributed, subject to appropriation, for purposes authorized by section eighty-nine-c of the state finance law, to entities other than the mass transit operating agencies which receive money from the metropolitan transportation authority dedicated tax fund. Notwithstanding any general or special law to the contrary, other than a law which makes specific reference to this sentence of this section, so long as such metropolitan transportation authority dedicated tax fund shall exist, any appropriation from the dedicated mass transportation trust fund to the metropolitan transportation authority, its affiliates or its subsidiaries shall be deemed to be an appropriation to the metropolitan transportation authority and the total amount paid pursuant to such appropriation or appropriations or section thirty-one of chapter fifty-six of the laws of nineteen hundred ninety-three including the second clause of the first sentence of subdivisions (a) and (b) thereof, shall be deposited to such metropolitan transportation authority dedicated tax fund and distributed in accordance with the provisions of section twelve hundred seventy-c of the public authorities law.</u></p> <p>§ 85. Subdivision 21 of section 401 of the vehicle and traffic law, as amended by section 9 of part EE of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>21. The commissioner shall deposit daily the percentages listed below of all fees collected or received by the commissioner after March thirty-first, nineteen hundred ninety-three pursuant to certain registration fees imposed by (a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section in a responsible bank, banking house or trust company, which shall pay the highest rate of interest to the state for such deposit to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-</p>
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		<p>b of the state finance law. The commissioner shall so deposit thirteen percent of all such registration fees so collected or so received after March thirty-first, nineteen hundred ninety-three, seventeen percent of all such registration fees so collected or so received after December thirty-first, nineteen hundred ninety-four, twenty percent of all such registration fees so collected or so received after December thirty-first, nineteen hundred ninety-five, twenty-eight percent of all such registration fees so collected or so received after March thirty-first, nineteen hundred ninety-eight, thirty-four percent of all such registration fees so collected or so received after June thirtieth, nineteen hundred ninety-eight, and forty-five and five-tenths percent of all such registration fees so collected or so received after January thirty-first, nineteen hundred ninety-nine. Every bank, banking house or trust company that accepts such deposits shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefor of all such moneys held by or on deposit in such bank, banking house, or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney general as to its form.</p> <p>The commissioner shall deposit daily the percentages listed below of all fees collected or received by the commissioner after March thirty-first, two thousand one pursuant to certain registration fees imposed by (a) paragraph a of subdivision six, (b) all schedules of subdivision seven, and (c) paragraph a of subdivision eight of this section in a responsible bank, banking house or trust company, which shall pay the highest rate of interest to the state for such deposit to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law and to distribute such deposit pursuant to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u> In addition to the</p>
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percentages specified in the opening paragraph of this section, the commissioner shall so deposit twenty-three and five-tenths percent of all such registration fees so collected or so received after March thirty-first, two thousand one and fifty-four and five-tenths percent of all such registration fees so collected or so received after March thirty-first, two thousand two. Every bank, banking house or trust company that accepts such deposits shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefore of all such moneys held by or in deposit in such bank, banking house or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney general as to its form.

Of the revenues so deposited, the comptroller shall retain in his hands such amount as the commissioner may determine to be necessary for refunds or reimbursements of the fees collected or received pursuant to (a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section to which registrants shall be entitled under the provisions of this article, out of which amount the commissioner shall pay any refunds or reimbursements of the fees collected or received pursuant to (a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section to which registrants shall be entitled under such provisions. The comptroller, after reserving the amount to pay such refunds or reimbursements, shall, on or before the last day of each month, deposit the balance of the revenue so deposited during such month into the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law.

§ 86. Subdivision 6-a of section 415 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:

6-a. Fees; deposited. Fees assessed under

		<p>this section shall be paid to the commissioner for deposit to the general fund, with the exception of the four dollar increase in the fee for issuance of a document to be used by a dealer to sell or transfer a vehicle collected pursuant to subdivision six of this section, which shall be deposited to the general fund through March thirty-first, two thousand four and from April first, two thousand four and thereafter to the dedicated highway and bridge trust fund; and with the exception of the twelve dollar and fifty cent increase in the fee for original application for registration as a dealer or transporter pursuant to subdivision six of this section and the seventy-five dollar increase in the annual fee for registration as a dealer or transporter or for renewal pursuant to subdivision six of this section, which shall be deposited to the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u></p> <p>§ 87. Subdivision 11 of section 420-A of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>11. Fees; deposited. Fees assessed under this section shall be paid to the commissioner for deposit to the general fund, with the exception of the three dollar increase in the fee for issuance of temporary registrations pursuant to subdivision two of this section, which shall be deposited to the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u></p> <p>§ 88. Subdivision 4 of section 430 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p>
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		<p>4. Fees; deposited. Fees assessed under this section shall be paid to the commissioner for deposit to the general fund, with the exception of the fifty dollar increase in the fee for scheduling an examination pursuant to subdivision one of this section, which shall be deposited to the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u></p> <p>§ 89. Paragraph (f) of subdivision 2 of section 503 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>(f) Photo image fee. In addition to any other fee prescribed herein, a fee of ten dollars shall be charged for the processing of each learner permit or license document requiring a photo image. Of each such fee collected, five dollars shall be deposited to the credit of the general fund and five dollars shall be deposited in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u></p> <p>§ 90. Subdivision (g) of section 2125 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>(g) Fees assessed for filing an application for a certificate of title shall be deposited to the credit of the dedicated highway and bridge trust fund with the exception of the forty dollar increase in the application for an original title for vehicles other than a mobile or manufactured home and the one hundred dollar increase in the application for an original title for a mobile or manufactured home collected pursuant to paragraph one of subdivision (a)</p>
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		of this section, and the ten dollar increase in the fee for a duplicate certificate of title collected pursuant to paragraph three of subdivision (a) of this section which shall be deposited in the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of [subdivision (d) of section three hundred one-j of the tax law] <u>paragraph (h) of subdivision one-a of section three hundred eighteen of this article.</u> "
Page 157,	Line 33,	Strike out "§83" and insert "§91"
Page 157,	Line 35,	Strike out "§84" and insert "§92"
Page 157,	Line 54,	Strike out "§85" and insert "§93"
Page 158,	Line 5,	Strike out "§86" and insert "§94"
Page 184,	Line 22,	After "2008" insert ", except that sections one and two of this act shall apply to taxable years beginning on or after January 1, 2009"
Page 184,	Line 32,	After " <u>date of sale</u> " insert " <u>or exchange</u> "
Page 184,	Line 40,	After " <u>sale</u> " insert " <u>or exchange</u> "
Page 184,	Line 42,	After " <u>that sale</u> " insert " <u>or exchange</u> "
Page 184,	Line 44,	After " <u>of sale</u> " insert " <u>or exchange</u> "
Page 184,	Line 45,	After " <u>of sale</u> " insert " <u>or exchange.</u> "
Page 185,	Line 40,	After "thirty-two" insert " <u>or article thirty-three</u> "
Page 185,	Line 42,	After " <u>sixty-two</u> " insert " <u>or subdivision (f) of section fifteen hundred fifteen</u> "
Page 186,	Line 31,	After "thirty-two" insert " <u>or article thirty-three</u> "
Page 186,	Line 33,	After " <u>sixty-two</u> " insert " <u>or subdivision (f) of section fifteen hundred fifteen</u> "
Page 187,	Line 19,	After " <u>RIC</u> " insert " <u>, is subject to tax under this article, article thirty-two or thirty-three of this chapter or otherwise required to be included in a combined return or report under this article, article thirty-two or thirty-three of this chapter,</u> "

Page 187,	Line 33,	After " <u>that is</u> " strike out " <u>both</u> "
Page 187,	Lines 34 through 38,	After " <u>RIC</u> " strike out ", <u>and subject to tax under this article, article thirty-two or thirty-three of this chapter or otherwise required to be included in a combined return or report under this article, article thirty-two or thirty-three of this chapter</u> "
Page 187,	Line 46,	After " <u>corporation</u> " insert " <u>in</u> "
Page 188,	Line 10,	After " <u>clause</u> " strike out " <u>(i)</u> " and insert " <u>(ii)</u> "
Page 188,	Line 11,	After " <u>or</u> " strike out " <u>(ii)</u> " and insert " <u>(iii)</u> "
Page 188,	Line 54,	Strike out " <u>such</u> " and insert " <u>that</u> "
Page 190,	Line 15,	After " <u>RIC</u> " insert ", <u>is subject to tax under this article, article nine-A or article thirty-three of this chapter or otherwise required to be included in a combined return under this article, article nine-A or article thirty-three of this chapter,</u> "
Page 190,	Line 31,	After " <u>that is</u> " strike out " <u>both</u> "
Page 190,	Lines 32 through 35,	After " <u>RIC</u> " strike out ", <u>and is subject to tax under this article, article nine-A or article thirty-three of this chapter or otherwise required to be included in a combined return under this article, article nine-A or article thirty-three of this chapter</u> "
Page 190,	Line 45,	After " <u>corporation</u> " insert " <u>in</u> "
Page 191,	Line 17,	After " <u>dollars,</u> " insert " <u>then</u> "
Page 191,	Line 17,	After " <u>REIT or</u> " strike out " <u>the</u> "
Page 191,	Line 19,	After " <u>REIT or</u> " strike out " <u>the</u> "
Page 191,	Line 23,	After " <u>(b) of</u> " insert " <u>that</u> "
Page 191,	Lines 23 and 24,	After " <u>section</u> " strike out " <u>fifteen hundred four</u> "
Page 191,	Line 51,	After " <u>fifty-two of</u> " strike out " <u>such</u> " and insert " <u>that</u> "
Page 194,	Line 6,	After " <u>RIC</u> " insert ", <u>is subject to tax under section fifteen hundred one of this article, article nine-A or article thirty-two of this chapter or required to be included in a combined return or report under this article, article nine-A or article thirty-two of this chapter,</u> "

Page 194,	Line 21,	After " <u>that is</u> " strike out " <u>both</u> "
Page 194,	Line 22,	After " <u>RIC</u> " strike out ", and is subject to tax under section fifteen hundred one of this article, article nine-A or article thirty-two of this chapter or required to be included in a combined return or report under this article, article nine-A or article thirty-two of this chapter"
Page 194,	Line 29,	After " <u>combined</u> " strike out " <u>report</u> " and insert " <u>return</u> "
Page 194,	Line 33,	After " <u>combined</u> " strike out " <u>report</u> " and insert " <u>return</u> "
Page 194,	Line 36,	After " <u>combined</u> " strike out " <u>report</u> " and insert " <u>return</u> "
Page 194,	Line 37,	After " <u>combined</u> " strike out " <u>report</u> " and insert " <u>return</u> "
Page 194,	Line 39,	After " <u>combined</u> " strike out " <u>report</u> " and insert " <u>return</u> "
Page 195,	Line 10,	After " <u>fifty-two of</u> " strike out " <u>such</u> " and insert " <u>that</u> "
Page 195,	Line 24,	After " <u>(b) of</u> " insert " <u>that</u> "
Page 195,	Line 25,	Strike out " <u>fifteen hundred four</u> "
Page 199,	Line 25,	After "beginning" insert "on or after"
Page 199,	Line 25,	After "2008" insert ", and shall apply to applications filed on or after the date it becomes law"
Page 203,	Line 51,	After " <u>eleven</u> " insert ", <u>.</u> " and strike out " <u>or</u> "
Page 203,	Line 51,	After " <u>fifty-nine</u> " insert ", <u>fourteen hundred sixty-two (e) or fifteen hundred fifteen (e)</u> "
Page 205,	Line 31,	After "by law" insert ", <u>except that the penalty imposed by this section shall not apply if the penalty under section six hundred eighty-five (aa) of this chapter is imposed on the tax return preparer with respect to such understatement.</u> "
Page 206,	Between lines 39 and 40,	<p>Insert "§ 3. Paragraph (4) of subsection (aa) of section 685 of the tax law, as amended by section 16 of part A of chapter 63 of the laws of 2005, is amended to read as follows:</p> <p>(4) This subsection shall not apply if the penalty under [subsection (r) of this]</p>

		<p>section <u>seventeen hundred one of this chapter</u> is imposed on the tax return preparer with respect to such understatement.</p> <p>§ 4. Paragraph (4) of subsection (s) of section 1085 of the tax law, as added by section 10 of part N of chapter 61 of the laws of 2005, is amended to read as follows:</p> <p>(4) This subsection shall not apply if the penalty under [subsection (1) of this] <u>section seventeen hundred one of this chapter</u> is imposed on the tax return preparer with respect to such understatement."</p>
Page 206,	Line 40,	Strike out "§3" and insert "§5"
Page 206,	Line 43,	After "this act" insert "and the provisions of subsection (r) of section 685 and subsection (i) of section 1085 of the tax law, as repealed by section two of this act, shall apply to returns filed or actions taken up to and including the day before this act shall take effect"
Page 206,	Lines 44 and 45,	Strike out "section two of this act shall apply to taxable years on or after January 1, 2008." and insert "the amendments made to paragraph (4) of subsection (aa) of section 685 and paragraph (4) of subsection (s) of section 1085 of the tax law shall not affect any expiration of, and shall expire at the same time, as subsection (aa) of section 685 and subsection (s) of section 1085 of the tax law."
Page 234,	Line 44	Strike out " <u>tobacco product manufacturer</u> " and insert " <u>person</u> "