



NEW YORK STATE SENATOR

George Winner

Winner Still Seeking Bipartisan Support for 30-Day Tax Refunds

GEORGE WINNER March 19, 2010

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Albany, N.Y., March 18— State Senator George Winner (R-C-I, Elmira) said today that he is still trying to build bipartisan support for legislation he sponsors to require the state to provide personal income tax refunds within 30 days after a taxpayer files a return.

[Watch news report here.](#)

Governor Paterson announced this week that the state is delaying income tax refund payments for hundreds of thousands of New Yorkers as a way to ease the state's cash flow. The state stopped issuing refunds on Monday.

Winner is currently sponsoring two pieces of legislation (S.3985/A.5100 and S.7136/A.10087) with Assemblyman Richard Brodsky (D-Westchester County), chairman of the Assembly Committee on Corporations, Authorities and Commissions, that would implement the new 30-day tax refund policy. He noted that while the Senate Investigations Committee earlier this week approved one of the measures (S.3985), a new Senate reform rule allows the traditional committee process to be bypassed so that the Senate could act immediately, the measure could then be acted on by the Assembly, and it could go to Governor David Paterson to be signed into law.

"The full Senate can act immediately to get this legislation to Governor Paterson's desk to be signed into law, and we should. It will only take two more Senate Democrats to act," Winner said.

Under a new Senate reform rule enacted early last year, any senator can bypass the normal committee process and send legislation directly to the floor for a vote by the full Senate by securing the signatures of 38 members of the chamber. A "petition-for-consideration" on Winner's income tax refund legislation was circulated to all 62 members of the Senate on February 23rd. It's already been signed by all 30 Republicans and six Democrats.

It will take eight Democratic senators to be able to bring the bill to the floor for a vote.

"It's a simple idea, but it's really hitting home in high-tax New York. This is the taxpayer's money, they need it in these tough economic times, and these refunds should be out the door as soon as possible," said Winner, noting that the legislation had been introduced even prior

to recent news reports that the Paterson administration is considering delaying income tax refunds for thousands of New Yorkers.

Winner said that the issue, which some are calling the “Refund Revolt,” taps into the No. 1 frustration being expressed by citizens across the region he represents – Albany’s disdain for the taxpayer – and gives individual citizens a chance to voice their anger. He said that the Paterson plan has highlighted the need for legislation to put a stop to the state’s ability to delay refunds.

“There’s a lot at play in this effort. Most importantly, it’s the taxpayer’s money and Albany shouldn’t be hanging on to it,” said Winner. “But it’s also provided an opportunity for individual citizens to directly deliver an anti-tax message to Albany’s current leaders.”

Under the legislation, the state Department of Taxation and Finance would be required to pay a taxpayer's refund within 30 days after receiving the taxpayer's filing. If the department is unable to pay a tax refund because of a discrepancy in the taxpayer's return, it would be required to provide written notice to the taxpayer of the discrepancy and an expected timeframe for its resolution. If the department fails to provide a refund or written notice within 30 days, the taxpayer would be paid interest on the refund owed at a rate of six percent.