



NEW YORK STATE SENATOR

Owen H. Johnson

New Laws Taking Effect January 1, 2012

OWEN H. JOHNSON December 19, 2011

TAX CUTS AND PROPERTY TAX CAP

HIGHLIGHT NEW JANUARY 1ST LAWS

Middle class tax cuts that will reduce tax rates for millions of hardworking taxpayers and the two-percent property tax cap highlight new state laws that will go into effect on January 1, 2012.

The recently enacted tax cuts will reduce tax rates on middle class taxpayers to their lowest levels in more than 50 years (Chapter 55, L.2011). About 4.4 million middle class taxpayers will receive a total of \$690 million in personal income tax relief.

A tax relief measure for manufacturers that will help them expand and create new jobs will also take effect next year, beginning January 1, 2012, as will provisions for flood relief and recovery, and the implementation of inflation adjustments to reduce personal income taxes.

The property tax cap law, enacted in June, will also go into effect January 1, 2012. The law (Chapter 97, L.2011, Sen. Skelos) imposes a cap on the growth of school district and local government property taxes of two percent or the Consumer Price Index (CPI), whichever is lower.

“The income tax cuts and property tax cap were major highlights of what was a very productive year,” Senate Majority Leader Dean G. Skelos said. “We made tremendous progress this year on reducing spending, cutting taxes and empowering businesses to create new jobs. These new laws that take effect January 1, and other important measures that have already gone into effect, came about because we ended gridlock and partisanship, and worked with the Governor to make Albany function again.”

“These measures are a good start, but there is much more work to be done,” Senator Skelos said. “I look forward to working with Governor Cuomo in 2012 and continuing our efforts to point New York in a positive direction.”

OTHER LAWS THAT TAKE EFFECT JANUARY 1, 2012 INCLUDE THE FOLLOWING:

ORALLY ADMINISTERED CHEMOTHERAPY COVERAGE -- As of January 1, 2012, health insurance plans in New York State are required to cover orally administered chemotherapy treatments. The law (Chapter 559, L.2011, Sen. Lanza) corrects a discrepancy and ensures that chemotherapy treatment, no matter how administered, is covered by insurance companies. With oral chemotherapy, patients can take a pill in the comfort of their homes, to combat their diseases without as many trips to the hospital for the more traditional intravenous or injectable forms of chemotherapy.

ROADWAY SAFETY -- When drivers take to the roads on January 1, 2012, they will be required to exercise additional caution when approaching, overtaking or passing any hazard vehicle. Current law requires drivers to move over to adjacent lanes when approaching or passing an emergency vehicle on the side of the road, but not for other hazard vehicles.

The new law (Chapter 458, L.2011, Sen. Bonacic) provides an extra measure of safety for

drivers and workers on the roadside who are performing such activities as helping a stranded or broken-down vehicle, snow removal, or other types of roadway maintenance and construction.

Other laws that go into effect on January 1, 2012 include:

- * A new law will strengthen DEC's authority to ban products that contain mercury (Chapter 20, L. 2011, Sen. Grisanti).

- * A new law will further reduce the number of commercial fishing licenses and permits issued by DEC to ensure the economic viability of the commercial and consumer fishing industry (Chapter 383, L.2011, Sen. Johnson).

- *A requirement that dental health facilities possess automatic external defibrillators on their premises (Chapter 65, L.2011, Sen. Golden).

- * A ban on the sale of hookahs, water pipes, and shisha to minors (Chapter 131, L.2011, Sen. Golden). "Shisha" is any product made primarily of tobacco smoked or intended to be smoked in a hookah or water pipe.

- *An authorization for the removal of fire commissioners for dereliction of duties including having an excessive number of unexcused absences from regularly scheduled meetings (Chapter 462, L.2011, Sen. Lavalley).

- * A new law (Chapter 468, L.2011, Sen. Grisanti) bans the possession and sale of bear gallbladder and bile, a valuable commodity used in some forms of ancient medicine. In New York, black bears have been illegally killed for their gallbladders and bile. New York is one of

only five states that currently place no restrictions on the trade in bear gallbladders and bile. The loophole complicates law enforcement, encourages poaching, and puts bears at risk.

*A new law (Chapter 205, L.2010, Sen. Hassell-Thompson) will ban the sale of household dishwasher detergents that contain phosphorus, which is harmful to lakes, rivers and other water sources. A ban on phosphorus dish detergents used by commercial establishments will not take effect until July 1, 2013. The new law also places new limitations on the use of lawn fertilizers that contain phosphorous.

*A new law (Chapter 548, L.2011, Sen. Dilan) requires motor vehicle manufacturers and distributors to get the consent of franchised motor vehicle dealers to participate in sales promotion programs that include an expense for the dealer.