



NEW YORK STATE SENATOR

John J. Flanagan

## New York Senate Enacts Legislation To Ensure Prompt Delivery Of State Tax Refunds

JOHN J. FLANAGAN March 8, 2018

| ISSUE: **STATE TAXES, TAX REFUND, TAXPAYERS**



New York State Senate Majority Leader John Flanagan (2nd Senate District) announced that the New York State Senate has passed legislation (**S2152**) that would ensure hardworking taxpayers receive timely payment of state income tax refunds. The bill, which is sponsored by Senator Carl L. Marcellino (5th Senate District), would require the state Department of Taxation and Finance to pay refunds within 30 days of receiving a taxpayer's return.

Senator Marcellino said, "No matter what the situation is like in Albany, having the state hold onto this money is just not right. It's not the state's money—it's YOUR money. I think

the state can do better and this legislation would make sure that they do.”

“I applaud Senator Marcellino for sponsoring this legislation to protect the rights of our state’s taxpayers. The hardworking men and women of our state deserve to get their money back from the state in a timely fashion so that they can best decide how to spend it on their families. This bill will make sure that the state is obligated to do just that,” stated Senator Flanagan.

As the April 17th state tax deadline for filing returns approaches, it is paramount that all New Yorkers who overpaid their state taxes receive refunds in a timely manner. However, there have been numerous incidents of taxpayers having to wait three months or more before they received their refunds from the state Department of Taxation and Finance.

Under the legislation, if the state is unable to pay a tax refund due to a discrepancy in the return, then the department would have to provide written notice to the taxpayer and a date when the discrepancy will be resolved. If the state fails in this obligation, it would also be liable to pay interest on the refund owed to the taxpayer.

The bill has been sent to the Assembly.

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#### RELATED LEGISLATION

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### **2017-S2152**

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- Introduced

- ○ In Committee Assembly
  - In Committee Senate
  
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ○ Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
- 

Requires the commissioner of taxation and finance to provide for the payment of refunds within 30 days of the receipt of a tax return

January 12, 2017

In Assembly Committee

Sponsored by **Carl L. Marcellino**

Do you support this bill?