

**New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau**

TSB-M-81 (5)M
Stock Transfer Tax
October, 1981

Subject: Rebates of Stock Transfer Tax

Chapter 578 of the Laws of 1981 was enacted on July 15, 1981 amending Section 280-a of the Tax Law by adding a new subdivision 15 to authorize the payment of stock transfer tax rebates to persons liable for the tax, or agents of taxpayers, provided such persons or agents are the purchasers of the stamps from a fiscal agent of the State Tax Commission and the claim is presented within two years of the purchase of such stamps. However, the new provision will not be applicable to taxpayers where the tax is paid and the rebate is allowed pursuant to payments by the taxpayer's broker or dealer to or through a securities exchange or affiliated clearing corporation. The amendment will not take effect until October 1, 1981 when the rates of rebate for residents and nonresidents will be 100% of the tax paid. Also, the rebate will not be payable under the existing law until the tax has been paid from the stock transfer fund to the stock transfer incentives fund, which transfer occurs four times a year. The first sentence of subdivision 1 of section 280-a is amended to read, "Exempt as otherwise provided in subdivision fifteen of this section, where a tax shall have been paid under this article a portion of the amount paid shall be allowed as a rebate and such portion shall be paid to the taxpayer but only to the extent that moneys are available for the payment of such rebates in the stock transfer incentive fund established pursuant to section ninety-two-1 of the state finance law.