STATE OF NEW YORK DEPARTMENT OF TAXATION AND FINANCE COMMISSIONER OF TAXATION AND FINANCE ALBANY, NEW YORK

Pursuant to the authority contained in subdivision First of section 171, subdivisions (1) and (8) of section 1142, and section 1250 (not subdivided) of the Tax Law, the First Deputy Commissioner of Taxation and Finance, being duly authorized to act due to the vacancy in the office of the Commissioner of Taxation and Finance, hereby proposes to make and adopt the following amendments to the Sales and Use Taxes Regulations, as published in Subchapter A of Chapter IV of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York, the amendments to read as follows:

Section 1. Subdivisions (b) and (c) of section 525.1 of the regulations are REPEALED, and subdivision (d) of such section is relettered to be subdivision (b).

Dated: Albany, New York August 12, 2009

> Jamie Woodward Acting Commissioner and Executive Deputy Commissioner of Taxation and Finance