

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
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ALBANY, NY 12231-0001
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ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

August 4, 2020

Cindy Urtz
Clerk
138 N Court Street, PO Box 635
Wampsville NY 13163

RE: County of Madison, Local Law 5 2020, filed on July 31 2020

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

Note: Introduced and Adopted by Madison
County as Local Law No. 8-2020



MADISON COUNTY BOARD OF SUPERVISORS

John M. Becker, Chairman
Mark Scimone, County Administrator
Cindy Urtz, Clerk

138 N. Court St., PO Box 635
Wampsville, NY 13163
Phone: 315/366-2201
Fax: 315/366-2502

July 28, 2020

State Records and Law Bureau
One Commerce Plaza
99 Washington Ave.
Albany, New York 12231

RE: Local Law No. 5 – 2020 A Local Law Amending Local Law #3 of 2017 and Imposing an Additional Wireless Communications Surcharge to pay the Costs of Operating and Maintaining an Enhanced 911 (E911) System in Madison County

Dear Sir/Madam:

Enclosed please find the original of Local Law No. 5 of 2020 for filing, which was adopted by the Madison County Board of Supervisors on July 28, 2020.

If you have any questions regarding this local law, please call me at (315) 366-2201.

Thank you in advance for your assistance.

Very truly yours,

A handwritten signature in black ink that reads "Cindy Urtz". The signature is written in a cursive style.

Cindy Urtz, Clerk

cu/
enclosure

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

X County

- ~~City~~ of Madison
- ~~Town~~
- ~~Village~~

Local Law No. 5 of the year 2020

A Local Law Amending Local Law #3 of 2017 and Imposing an Additional Wireless
(Insert Title)
Communications Surcharge to pay the costs of Operating and Maintaining an
Enhanced 911 (E911) System in Madison County.

Be it enacted by the Board of Supervisors of the Madison County

(Name of Legislative Body)

X County

- ~~City~~ of Madison as follows:
- ~~Town~~
- ~~Village~~

See attached page

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**COUNTY OF MADISON
PROPOSED LOCAL LAW FOR THE YEAR 2020**

**A LOCAL LAW AMENDING LOCAL LAW #3 OF 2017 AND IMPOSING AN ADDITIONAL
WIRELESS COMMUNICATIONS SURCHARGE TO PAY THE COSTS OF OPERATING AND
MAINTAINING AN ENHANCED 911 (E911) SYSTEM IN MADISON COUNTY**

Be it enacted by the BOARD OF SUPERVISORS of the COUNTY of MADISON, as follows:

SECTION 1. LOCAL LAW NO. 3 OF THE YEAR 2017 entitled: "A Local Law Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law §186-g" is hereby AMENDED by adding a new section 2-a to read as follows:

SECTION 2-A. IMPOSITION OF ADDITIONAL WIRELESS COMMUNICATIONS SURCHARGES:

(a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Madison on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of Sixty-Five Cents (\$.65) per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such COUNTY, at the rate of Sixty-Five Cents (\$.65) per retail sale, whether or not any tangible personal property is sold therewith. These surcharges shall be in addition to the surcharges imposed by section 2 of this local law, pursuant to the authority of Tax Law §186-g, of Thirty Cents (\$.30) per month.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing September 1, 2020.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this LOCAL LAW, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 2. EXISTING LAW: Any portion of Local Law #3 of 2017 not otherwise modified or superseded by this Local Law shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE: This Local Law shall take effect September 1, 2020, and shall expire and be deemed repealed November 30, 2029.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 20 20 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Madison was duly passed by the Board of Supervisors on July 28, 20 20 in accordance with the applicable (Name of Legislative Body) provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on 2 _____ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on 2 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____ in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.) _____

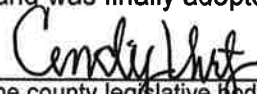
I hereby certify that the local law annexed hereto, designated as local law No _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 28, 2020

(Seal)