

1215

2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. THOMPSON, DILAN, FOLEY, C. JOHNSON, ONORATO, PARKER,
SMITH -- read twice and ordered printed, and when printed to be
committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law and the real property tax law, in relation
to providing a tax credit for the purchase of energy efficient home
improvements

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 606 of the tax law is amended by adding a new
2 subsection (qq) to read as follows:
3 (QQ) CREDIT FOR THE PURCHASE OF ENERGY EFFICIENT HOME IMPROVEMENTS.
4 (1) ALLOWANCE AND AMOUNT OF CREDIT. A TAXPAYER SHALL BE ALLOWED A CRED-
5 IT, TO BE COMPUTED AS PROVIDED IN THIS SUBSECTION, AGAINST THE TAX
6 IMPOSED BY THIS ARTICLE. THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO
7 TWENTY-FIVE PERCENT OF THE COST OF ENERGY EFFICIENT HOME IMPROVEMENTS,
8 AS PROVIDED IN PARAGRAPH TWO OF THIS SUBSECTION, UP TO A TWO THOUSAND
9 FIVE HUNDRED DOLLAR LIMIT FOR ALL HOME IMPROVEMENTS MADE BY SUCH TAXPAY-
10 ER.
11 (2) THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY SHALL
12 ADOPT RULES AND REGULATIONS SETTING FORTH HOME IMPROVEMENTS WHICH QUALI-
13 FY FOR THE CREDIT UNDER THIS SUBSECTION. SUCH AUTHORITY SHALL DEVELOP A
14 LIST OF SUCH IMPROVEMENTS AND PRODUCTS AND MAKE SUCH LIST AVAILABLE ON
15 ITS WEBSITE.
16 (3) APPLICATION OF CREDIT. IF THE AMOUNT OF CREDIT ALLOWED UNDER THIS
17 SUBSECTION FOR ANY TAXABLE YEAR SHALL EXCEED THE TAXPAYER'S TAX FOR SUCH
18 YEAR, THE EXCESS SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDIT-
19 ED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION SIX HUNDRED
20 EIGHTY-SIX OF THIS ARTICLE, PROVIDED, HOWEVER, THAT NO INTEREST SHALL BE
21 PAID THEREON.
22 S 2. The real property tax law is amended by adding a new section
23 582-b to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 S 582-B. ENERGY EFFICIENT HOME IMPROVEMENTS. ENERGY EFFICIENT PRODUCTS
2 AND HOME IMPROVEMENTS WHICH HAVE BEEN DETERMINED BY THE NEW YORK STATE
3 ENERGY RESEARCH AND DEVELOPMENT AUTHORITY AS QUALIFIED FOR A TAX CREDIT
4 UNDER SUBSECTION (QQ) OF SECTION SIX HUNDRED SIX OF THE TAX LAW SHALL
5 NOT INCREASE THE ASSESSED VALUATION FOR PURPOSES OF REAL PROPERTY TAXA-
6 TION OF ANY REAL PROPERTY TO WHICH SUCH IMPROVEMENTS ARE MADE OR
7 PRODUCTS ARE AFFIXED.
8 S 3. This act shall take effect on the first of January next succeed-
9 ing the date on which it shall have become a law and shall apply to
10 taxable years commencing on and after such date.