

6015

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. DeFRANCISCO -- 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, in relation to raising the threshold for
estate tax under applicable internal revenue code provisions

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

1 Section 1. Subsection (a) of section 951 of the tax law, as amended by
2 section 1 of part T of chapter 57 of the laws of 2010, is amended to
3 read as follows:
4 (a) Dates. For purposes of this article, any reference to the internal
5 revenue code means the United States Internal Revenue Code of 1986, with
6 all amendments enacted on or before July twenty-second, nineteen hundred
7 ninety-eight, and, unless specifically provided otherwise in this arti-
8 cle, any reference to December thirty-first, nineteen hundred seventy-
9 six or January first, nineteen hundred seventy-seven contained in the
10 provisions of such code which are applicable to the determination of the
11 tax imposed by this article shall be read as a reference to June thirti-
12 eth, nineteen hundred seventy-eight or July first, nineteen hundred
13 seventy-eight, respectively. Notwithstanding the foregoing, the unified
14 credit against the estate tax provided in section two thousand ten of
15 the internal revenue code shall, for purposes of this article, be the
16 amount allowable as if the federal applicable exclusion amount were:
17 1. one million dollars FOR TAXABLE YEARS PRIOR TO 2012;
18 2. TWO MILLION DOLLARS FOR THE TAXABLE YEAR 2012;
19 3. THREE MILLION DOLLARS FOR THE TAXABLE YEAR 2013;
20 4. FOUR MILLION DOLLARS FOR THE TAXABLE YEAR 2014; AND
21 5. FIVE MILLION DOLLARS FOR THE TAXABLE YEAR 2015.
22 S 2. This act shall take effect immediately.

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

LBD13425-01-1