

S. 2277

A. 2394

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

January 15, 2013

IN SENATE -- Introduced by Sens. LAVALLE, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the real property tax circuit breaker credit

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

1 Section 1. Subsection (e) of section 606 of the tax law, as amended by
2 chapter 28 of the laws of 1987, subparagraph (c) of paragraph 1 as
3 amended by chapter 713 of the laws of 1996, subparagraph (E) of para-
4 graph 1 as amended by chapter 105 of the laws of 2006, and paragraph 14
5 as amended by chapter 23 of the laws of 1990, is amended to read as
6 follows:
7 (e) Real property tax circuit breaker credit. (1) For purposes of
8 this subsection:
9 (A) "Qualified taxpayer" means a resident individual of the state who
10 has occupied the same residence for six months or more of the taxable
11 year, and is required or chooses to file a return under this article.
12 (B) "Household" or "members of the household" means a qualified
13 taxpayer and all other persons, not necessarily related, who have the
14 same residence and share its furnishings, facilities and accommodations.
15 Such terms shall not include a tenant, subtenant, roomer or boarder who
16 is not related to the qualified taxpayer in any degree specified in
17 paragraphs one through eight of subsection (a) of section one hundred
18 fifty-two of the internal revenue code. Provided, however, no person
19 may be a member of more than one household at one time.
20 [(c)] (C) "Household gross income" means the aggregate adjusted gross
21 income of all members of the household for the taxable year as reported

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

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1 for federal income tax purposes, or which would be reported as adjusted
2 gross income if a federal income tax return were required to be filed,
3 with the modifications in subsection (b) of section six hundred twelve
4 but without the modifications in subsection (c) of such section, plus
5 any portion of the gain from the sale or exchange of property otherwise
6 excluded from such amount; earned income from sources without the United
7 States excludable from federal gross income by section nine hundred
8 eleven of the internal revenue code; support money not included in
9 adjusted gross income; nontaxable strike benefits; supplemental security
10 income payments; the gross amount of any pension or annuity benefits to
11 the extent not included in such adjusted gross income (including, but
12 not limited to, railroad retirement benefits and all payments received
13 under the federal social security act and veterans' disability
14 pensions); nontaxable interest received from the state of New York, its
15 agencies, instrumentalities, public corporations, or political subdivi-
16 sions (including a public corporation created pursuant to agreement or
17 compact with another state or Canada); workers' compensation; the gross
18 amount of "loss-of-time" insurance; and the amount of cash public
19 assistance and relief, other than medical assistance for the needy, paid
20 to or for the benefit of the qualified taxpayer or members of his house-
21 hold. Household gross income shall not include surplus foods or other
22 relief in kind or payments made to individuals because of their status
23 as victims of Nazi persecution as defined in P.L. 103-286. Provided,
24 further, household gross income shall only include all such income
25 received by all members of the household while members of such house-
26 hold.

27 (D) "Residence" means a dwelling in this state, whether owned or
28 rented, and so much of the land abutting it, not exceeding one acre, as
29 is reasonably necessary for use of the dwelling as a home, and may
30 consist of a part of a multi-dwelling or multi-purpose building includ-
31 ing a cooperative or condominium, and rental units within a single
32 dwelling. Residence includes a trailer or mobile home, used exclusively
33 for residential purposes and defined as real property pursuant to para-
34 graph (g) of subdivision twelve of section one hundred two of the real
35 property tax law.

36 (E) "Qualifying real property taxes" means all real property taxes,
37 special ad valorem levies and special assessments, exclusive of penal-
38 ties and interest, levied on the residence of a qualified taxpayer and
39 paid during the taxable year less the credit claimed under THE FORMER
40 subsection (n-1) of this section. In addition, for taxable years begin-
41 ning after December thirty-first, nineteen hundred eighty-four, a quali-
42 fied taxpayer may elect to include any additional amount that would have
43 been levied in the absence of an exemption from real property taxation
44 pursuant to section four hundred sixty-seven of the real property tax
45 law. If tenant-stockholders in a cooperative housing corporation have
46 met the requirements of section two hundred sixteen of the internal
47 revenue code by which they are allowed a deduction for real estate
48 taxes, the amount of taxes so allowable, or which would be allowable if
49 the taxpayer had filed returns on a cash basis, shall be qualifying real
50 property taxes. If a residence is owned by two or more individuals as
51 joint tenants or tenants in common, and one or more than one individual
52 is not a member of the household, qualifying real property taxes is that
53 part of such taxes on the residence which reflects the ownership
54 percentage of the qualified taxpayer and members of his household. If a
55 residence is an integral part of a larger unit, qualifying real property
56 taxes shall be limited to that amount of such taxes paid as may be

1 reasonably apportioned to such residence. If a household owns and occu-
2 pies two or more residences during different periods in the same taxable
3 year, qualifying real property taxes shall be the sum of the prorated
4 qualifying real property taxes attributable to the household during the
5 periods such household occupies each of such residences. If the house-
6 hold owns and occupies a residence for part of the taxable year and
7 rents a residence for part of the same taxable year, it may include both
8 the proration of qualifying real property taxes on the residence owned
9 and the real property tax equivalent with respect to the months the
10 residence is rented. Provided, however, for purposes of the credit
11 allowed under this subsection, qualifying real property taxes may be
12 included by a qualified taxpayer only to the extent that such taxpayer
13 or the spouse of such taxpayer occupying such residence for six months
14 or more of the taxable year owns or has owned the residence and paid
15 such taxes.

16 (F) "Real property tax equivalent" means twenty-five percent of the
17 adjusted rent actually paid in the taxable year by a household solely
18 for the right of occupancy of its New York residence for the taxable
19 year. If (i) a residence is rented to two or more individuals as coten-
20 ants, or such individuals share in the payment of a single rent for the
21 right of occupancy of such residence, and (ii) each of such individuals
22 is a member of a different household, one or more of which individuals
23 shares such residence, real property tax equivalent is that portion of
24 twenty-five percent of the adjusted rent paid in the taxable year which
25 reflects that portion of the rent attributable to the qualified taxpayer
26 and the members of his household.

27 (G) "Adjusted rent" means rental paid for the right of occupancy of a
28 residence, excluding charges for heat, gas, electricity, furnishings and
29 board. Where charges for heat, gas, electricity, furnishing or board
30 are included in rental but where such charges and the amount thereof are
31 not separately set forth in a written rental agreement, for purposes of
32 determining adjusted rent the qualified taxpayer shall reduce rental
33 paid as follows:

- 34 (i) For heat, or heat and gas, deduct fifteen percent of rental paid.
35 (ii) For heat, gas and electricity, deduct twenty percent of rental
36 paid.
37 (iii) For heat, gas, electricity and furnishings, deduct twenty-five
38 percent of rental paid.
39 (iv) For heat, gas, electricity, furnishings and board, deduct fifty
40 percent of rental paid.

41 If the [tax commission] COMMISSIONER determines that the adjusted rent
42 shown on the return is excessive, the [tax commission] COMMISSIONER may
43 reduce such rent, for purposes of the computation of the credit, to an
44 amount substantially equivalent to rent for a comparable accommodation.

45 (2) A qualified taxpayer shall be allowed a credit as provided in
46 paragraph three hereof against the taxes imposed by this article reduced
47 by the credits permitted by this article. If the credit exceeds the tax
48 as so reduced for such year under this article the qualified taxpayer
49 may receive, and the comptroller, subject to a certificate of the [state
50 tax commission] COMMISSIONER, shall pay as an overpayment, without
51 interest, any excess between such tax as so reduced and the amount of
52 the credit. If a qualified taxpayer is not required to file a return
53 pursuant to section six hundred fifty-one, a qualified taxpayer may
54 nevertheless receive and the comptroller, subject to a certificate of
55 the [state tax commission] COMMISSIONER, shall pay as an overpayment the
56 full amount of the credit, without interest.

(3) Determination of credit. (A) For qualified taxpayers who have attained the age of sixty-five years OR A PERMANENT AND TOTAL DISABILITY AS DEFINED IN SECTION TWENTY-TWO OF THE INTERNAL REVENUE CODE before the beginning of or during the taxable year the amount of the credit allowable under this subsection shall be fifty percent, or in the case of a qualified taxpayer who has elected to include an additional amount pursuant to subparagraph (E) of paragraph one of this subsection, twenty-five percent, of the excess of real property taxes or the excess of real property tax equivalent determined as follows:

<p>If household gross income for the taxable year is:</p>	<p>Excess real property taxes are the excess of real property tax equivalent or the excess of qualifying real property taxes over the following percentage of household gross income:</p>
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<p>[\$3,000] \$6,000 or less Over [\$3,000] \$6,000 but not over [\$5,000] \$10,000 Over [\$5,000] \$10,000 but not over [\$7,000] \$14,000 Over [\$7,000] \$14,000 but not over [\$9,000] \$18,000 Over [\$9,000] \$18,000 but not over [\$11,000] \$22,000 Over [\$11,000] \$22,000 but not over [\$14,000] \$28,000 Over [\$14,000] \$28,000 but not over [\$18,000] \$36,000</p>	<p>3 1/2 4 4 1/2 5 5 1/2 6 6 1/2</p>
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Notwithstanding the foregoing provisions, the maximum credit determined under this subparagraph may not exceed the amount determined in accordance with the following table:

<p>If household gross income for the taxable year is:</p>	<p>The maximum credit is:</p>
<p>[\$1,000] \$2,000 or less Over [\$1,000] \$2,000 but not over [\$2,000] \$4,000 Over [\$2,000] \$4,000 but not over [\$3,000] \$6,000 Over [\$3,000] \$6,000 but not over [\$4,000] \$8,000 Over [\$4,000] \$8,000 but not over [\$5,000] \$10,000 Over [\$5,000] \$10,000 but not over [\$6,000] \$12,000 Over [\$6,000] \$12,000 but not over [\$7,000] \$14,000 Over [\$7,000] \$14,000 but not over [\$8,000] \$16,000 Over [\$8,000] \$16,000 but not over [\$9,000] \$18,000 Over [\$9,000] \$18,000 but</p>	<p>[\$375] \$463 [\$358] \$442 [\$341] \$421 [\$324] \$400 [\$307] \$379 [\$290] \$358 [\$273] \$337 [\$256] \$316 [\$239] \$295</p>

1	not over [\$10,000] \$20,000	[\$222] \$274
2	Over [\$10,000] \$20,000 but	
3	not over [\$11,000] \$22,000	[\$205] \$253
4	Over [\$11,000] \$22,000 but	
5	not over [\$12,000] \$24,000	[\$188] \$232
6	Over [\$12,000] \$24,000 but	
7	not over [\$13,000] \$26,000	[\$171] \$211
8	Over [\$13,000] \$26,000 but	
9	not over [\$14,000] \$28,000	[\$154] \$190
10	Over [\$14,000] \$28,000 but	
11	not over [\$15,000] \$30,000	[\$137] \$169
12	Over [\$15,000] \$30,000 but	
13	not over [\$16,000] \$32,000	[\$120] \$148
14	Over [\$16,000] \$32,000 but	
15	not over [\$17,000] \$34,000	[\$103] \$127
16	Over [\$17,000] \$34,000 but	
17	not over [\$18,000] \$36,000	[\$86] \$106

18 (B) For all other qualified taxpayers the amount of the credit allow-
 19 able under this subsection shall be fifty percent of excess real proper-
 20 ty taxes or the excess of the real property tax equivalent determined as
 21 follows:

22		Excess real property taxes are
23		the excess of real property tax
24		equivalent or the excess of
25	If household gross	qualifying real property taxes
26	income for the	over the following percentage of
27	taxable year is:	household gross income:
28		
29	[\$3,000] \$6,000 or less	3 1/2
30	Over [\$3,000] \$6,000 but not	
31	over [\$5,000] \$10,000	4
32	Over [\$5,000] \$10,000 but not	
33	over [\$7,000] \$14,000	4 1/2
34	Over [\$7,000] \$14,000 but not	
35	over [\$9,000] \$18,000	5
36	Over [\$9,000] \$18,000 but not	
37	over [\$11,000] \$22,000	5 1/2
38	Over [\$11,000] \$22,000 but not	
39	over [\$14,000] \$28,000	6
40	Over [\$14,000] \$28,000 but not	
41	over [\$18,000] \$36,000	6 1/2

42 Notwithstanding the foregoing provisions, the maximum credit deter-
 43 mined under this subparagraph may not exceed the amount determined in
 44 accordance with the following table:

45	If household gross	The maximum
46	income for the	credit is:
47	taxable year is:	
48		
49	[\$1,000] \$2,000 or less	[\$75] \$163
50	Over [\$1,000] \$2,000 but	
51	not over [\$2,000] \$4,000	[\$73] \$158
52	Over [\$2,000] \$4,000 but	
53	not over [\$3,000] \$6,000	[\$71] \$154
54	Over [\$3,000] \$6,000 but	
55	not over [\$4,000] \$8,000	[\$69] \$149

1	Over [\$4,000] \$8,000 but	
2	not over [\$5,000] \$10,000	[\$67] \$145
3	Over [\$5,000] \$10,000 but	
4	not over [\$6,000] \$12,000	[\$65] \$140
5	Over [\$6,000] \$12,000 but	
6	not over [\$7,000] \$14,000	[\$63] \$136
7	Over [\$7,000] \$14,000 but	
8	not over [\$8,000] \$16,000	[\$61] \$132
9	Over [\$8,000] \$16,000 but	
10	not over [\$9,000] \$18,000	[\$59] \$128
11	Over [\$9,000] \$18,000 but	
12	not over [\$10,000] \$20,000	[\$57] \$123
13	Over [\$10,000] \$20,000 but	
14	not over [\$11,000] \$22,000	[\$55] \$119
15	Over [\$11,000] \$22,000 but	
16	not over [\$12,000] \$24,000	[\$53] \$115
17	Over [\$12,000] \$24,000 but	
18	not over [\$13,000] \$26,000	[\$51] \$110
19	Over [\$13,000] \$26,000 but	
20	not over [\$14,000] \$28,000	[\$49] \$106
21	Over [\$14,000] \$28,000 but	
22	not over [\$15,000] \$30,000	[\$47] \$102
23	Over [\$15,000] \$30,000 but	
24	not over [\$16,000] \$32,000	[\$45] \$97
25	Over [\$16,000] \$32,000 but	
26	not over [\$17,000] \$34,000	[\$43] \$93
27	Over [\$17,000] \$34,000 but	
28	not over [\$18,000] \$36,000	[\$41] \$89

(4) If a qualified taxpayer occupies a residence for a period of less than twelve months during the taxable year or occupies two or more residences during different periods in such taxable year, the credit allowed pursuant to this subsection shall be computed in such manner as the [tax commission] COMMISSIONER may, by regulation, prescribe in order to properly reflect the credit or portion thereof attributable to such residence or residences and such period or periods.

(5) The [tax commission] COMMISSIONER may prescribe that the credit under this subsection shall be determined in whole or in part by the use of tables prescribed by such [commission] COMMISSIONER. Such tables shall set forth the credit to the nearest dollar.

(6) Only one credit per household and per qualified taxpayer shall be allowed per taxable year under this subsection. When two or more members of a household are able to meet the qualifications for a qualified taxpayer, the credit shall be equally divided between or among such individuals unless such individuals file with the [tax commission] COMMISSIONER a written agreement among such individuals setting forth a different division. Where two or more members of a household are able to meet the qualifications of a qualified taxpayer and one of them is sixty-five years of age or more OR HAS A PERMANENT AND TOTAL DISABILITY, the credit which may be taken shall be the credit applicable to individuals who have attained the age of sixty-five years.

(A) Provided, however, where a joint income tax return has been filed pursuant to the provisions of section six hundred fifty-one by a qualified taxpayer and his OR HER spouse (or where both spouses are qualified taxpayers and have filed such joint return), the credit, or the portion of the credit if divided, to which the husband and wife are entitled

1 shall be applied against the tax of both spouses and any overpayment
2 shall be made to both spouses.

3 (B) Where any return required to be filed pursuant to the provisions of
4 section six hundred fifty-one is combined with any return of tax imposed
5 pursuant to the authority of this chapter or any other law if such tax
6 is administered by the [tax commission] COMMISSIONER, the credit or the
7 portion of the credit if divided, allowed to the qualified taxpayer may
8 be applied by the [tax commission] COMMISSIONER toward any liability for
9 the aforementioned taxes.

10 (7) No credit shall be granted under this subsection:

11 (A) If household gross income for the taxable year exceeds [eighteen]
12 THIRTY-SIX thousand dollars.

13 (B) To a property owner unless: (i) the property is used for residen-
14 tial purposes, (ii) not more than twenty percent of the rental income,
15 if any, from the property is from rental for nonresidential purposes and
16 (iii) the property is occupied as a residence in whole or in part by one
17 or more of the owners of the property.

18 (C) To a property owner who owns real property FOR OVER TWO YEARS, the
19 full value of which exceeds [eighty-five thousand dollars] THE MEDIAN
20 FULL VALUE OF RESIDENTIAL REAL PROPERTY SALES WITHIN THE COUNTY WHERE IT
21 IS LOCATED, AS DETERMINED BY THE STATE BOARD OF REAL PROPERTY SERVICES,
22 OR THE MEDIAN FULL VALUE OF RESIDENTIAL REAL PROPERTY IN THE STATE, AS
23 DETERMINED BY THE STATE BOARD OF REAL PROPERTY SERVICES, WHICHEVER IS
24 LESS.

25 (D) To a tenant if the adjusted rent for the residence exceeds [four]
26 EIGHT hundred [fifty] dollars per month on average.

27 (E) To an individual with respect to whom a deduction under subsection
28 (c) of section one hundred fifty-one of the internal revenue code is
29 allowable to another taxpayer for the taxable year.

30 (F) With respect to a residence that is wholly exempted from real
31 property taxation.

32 (G) To an individual who is not a resident individual of the state for
33 the entire taxable year.

34 (H) WHERE A HOUSEHOLD OR QUALIFIED TAXPAYER HAS CLAIMED AN EARNED
35 INCOME TAX CREDIT PURSUANT TO THIS SECTION.

36 (I) TO AN INDIVIDUAL WHOSE HOUSEHOLD GROSS INCOME IS MORE THAN EIGHTY
37 PERCENT OF THE STATE MEDIAN FAMILY INCOME.

38 (8) The right to claim a credit or the portion of a credit, where
39 such credit has been divided under this subsection, shall be personal to
40 the qualified taxpayer and shall not survive his OR HER death, but such
41 right may be exercised on behalf of a claimant by his OR HER legal guar-
42 dian or attorney in fact during his OR HER lifetime.

43 (9) Returns. If a qualified taxpayer is not required to file a return
44 pursuant to section six hundred fifty-one, a claim for a credit may be
45 taken on a return filed with the [tax commission] COMMISSIONER within
46 three years from the time it would have been required that a return be
47 filed pursuant to such section had the qualified taxpayer had a taxable
48 year ending on December thirty-first. Returns under this paragraph shall
49 be in such form as shall be prescribed by the [tax commission] COMMIS-
50 SIONER, which shall make available such forms and instructions for
51 filing such returns.

52 (10) Proof of claim. The [tax commission] COMMISSIONER may require a
53 qualified taxpayer to furnish the following information in support of
54 his claim for credit under this subsection: household gross income,
55 rent paid, name and address of owner or managing agent of the property
56 rented, real property taxes levied or that would have been levied in the

1 absence of an exemption from real property tax pursuant to section four
2 hundred sixty-seven of the real property tax law, the names of members
3 of the household and other qualifying taxpayers occupying the same resi-
4 dence and their identifying numbers including social security numbers,
5 household gross income, size and nature of property claimed as residence
6 and all other information which may be required by the [tax commission]
7 COMMISSIONER to determine the credit.

8 (11) Administration. The provisions of this article, including the
9 provisions of section six hundred fifty-three, six hundred fifty-eight,
10 and six hundred fifty-nine and the provisions of part six of this arti-
11 cle relating to procedure and administration, including the judicial
12 review of the decisions of the [tax commission] COMMISSIONER, except so
13 much of section six hundred eighty-seven which permits a claim for cred-
14 it or refund to be filed after the period provided for in paragraph nine
15 of this subsection and except sections six hundred fifty-seven, six
16 hundred eighty-eight and six hundred ninety-six, shall apply to the
17 provisions of this subsection in the same manner and with the same force
18 and effect as if the language of those provisions had been incorporated
19 in full into this subsection and had expressly referred to the credit
20 allowed or returns filed under this subsection, except to the extent
21 that any such provision is either inconsistent with a provision of this
22 subsection or is not relevant to this subsection. As used in such
23 sections and such part, the term "taxpayer" shall include a qualified
24 taxpayer under this subsection and, notwithstanding the provisions of
25 subsection (e) of section six hundred ninety-seven, where a qualified
26 taxpayer has protested the denial of a claim for credit under this
27 subsection and the time to file a petition for redetermination of a
28 deficiency or for refund has not expired, he OR SHE shall, subject to
29 such conditions as may be set by the [tax commission] COMMISSIONER,
30 receive such information (A) which is contained in any return filed
31 under this article by a member of his OR HER household for the taxable
32 year for which the credit is claimed, and (B) which the [tax commission]
33 COMMISSIONER finds is relevant and material to the issue of whether such
34 claim was properly denied. The [tax commission] COMMISSIONER shall have
35 the authority to promulgate such rules and regulations as may be neces-
36 sary for the processing, determination and granting of credits and
37 refunds under this subsection.

38 (13) Notwithstanding any other provision of this article, the credit
39 allowed under this subsection shall be determined after the determi-
40 nation and application of any other credits permitted under the
41 provisions of this article.

42 (14) The commissioner [of taxation and finance] shall prepare a
43 preliminary written report after July thirty-first and a final written
44 report after December thirty-first of each calendar year, which shall
45 contain statistical information regarding the credits granted on or
46 before such dates under this subsection during such calendar year.
47 Copies of these reports shall be submitted by such commissioner to the
48 governor, the temporary president of the senate, the speaker of the
49 assembly, the chairman of the senate finance committee and the chairman
50 of the assembly ways and means committee within sixty days of July thir-
51 ty-first with respect to the preliminary report, and within forty-five
52 days of December thirty-first with respect to the final report. Such
53 reports shall contain, but need not be limited to, the number of credits
54 and the average amount of such credits allowed; and of those, the number
55 of credits and the average amount of such credits allowed to qualified
56 taxpayers in each county; and of those, the number of credits and the

average amount of such credits allowed to qualified taxpayers whose household gross income falls within each of the household gross income ranges set forth in paragraph three of this subsection; and of those, the number of credits and the average amount of such credits allowed to qualified taxpayers whose credit amount falls within credit amount ranges set forth in twenty-five dollar increments.

S 2. Paragraph 3 of subsection (e) of section 606 of the tax law, as amended by section one of this act, is amended to read as follows:

(3) Determination of credit. (A) For qualified taxpayers who have attained the age of sixty-five years or a permanent and total disability as defined in section twenty-two of the internal revenue code before the beginning of or during the taxable year the amount of the credit allowable under this subsection shall be fifty percent, or in the case of a qualified taxpayer who has elected to include an additional amount pursuant to subparagraph (E) of paragraph one of this subsection, twenty-five percent, of the excess of real property taxes or the excess of real property tax equivalent determined as follows:

If household gross income for the taxable year is:	Excess real property taxes are the excess of real property tax equivalent or the excess of qualifying real property taxes over the following percentage of household gross income:
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\$6,000 or less	3 1/2
Over \$6,000 but not over \$10,000	4
Over \$10,000 but not over \$14,000	4 1/2
Over \$14,000 but not over \$18,000	5
Over \$18,000 but not over \$22,000	5 1/2
Over \$22,000 but not over \$28,000	6
Over \$28,000 but not over \$36,000	6 1/2

Notwithstanding the foregoing provisions, the maximum credit determined under this subparagraph may not exceed the amount determined in accordance with the following table:

If household gross income for the taxable year is:	The maximum credit is:
\$2,000 or less	[\$463] \$550
Over \$2,000 but not over \$4,000	[\$442] \$525
Over \$4,000 but not over \$6,000	[\$421] \$500
Over \$6,000 but not over \$8,000	[\$400] \$475
Over \$8,000 but not over \$10,000	[\$379] \$450
Over \$10,000 but not over \$12,000	[\$358] \$425

1	Over \$12,000 but	
2	not over \$14,000	[\$337] \$400
3	Over \$14,000 but	
4	not over \$16,000	[\$316] \$375
5	Over \$16,000 but	
6	not over \$18,000	[\$295] \$350
7	Over \$18,000 but	
8	not over \$20,000	[\$274] \$325
9	Over \$20,000 but	
10	not over \$22,000	[\$253] \$300
11	Over \$22,000 but	
12	not over \$24,000	[\$232] \$275
13	Over \$24,000 but	
14	not over \$26,000	[\$211] \$250
15	Over \$26,000 but	
16	not over \$28,000	[\$190] \$225
17	Over \$28,000 but	
18	not over \$30,000	[\$169] \$200
19	Over \$30,000 but	
20	not over \$32,000	[\$148] \$175
21	Over \$32,000 but	
22	not over \$34,000	[\$127] \$150
23	Over \$34,000 but	
24	not over \$36,000	[\$106] \$125

(B) For all other qualified taxpayers the amount of the credit allowable under this subsection shall be fifty percent of excess real property taxes or the excess of the real property tax equivalent determined as follows:

29		Excess real property taxes are
30		the excess of real property tax
31		equivalent or the excess of
32	If household gross	qualifying real property taxes
33	income for the	over the following percentage of
34	taxable year is:	household gross income:
35		
36	\$6,000 or less	3 1/2
37	Over \$6,000 but not	
38	over \$10,000	4
39	Over \$10,000 but not	
40	over \$14,000	4 1/2
41	Over \$14,000 but not	
42	over \$18,000	5
43	Over \$18,000 but not	
44	over \$22,000	5 1/2
45	Over \$22,000 but not	
46	over \$28,000	6
47	Over \$28,000 but not	
48	over \$36,000	6 1/2

Notwithstanding the foregoing provisions, the maximum credit determined under this subparagraph may not exceed the amount determined in accordance with the following table:

52	If household gross	The maximum
53	income for the	credit is:
54	taxable year is:	
55		

1	\$2,000 or less	[\$163]	\$250
2	Over \$2,000 but		
3	not over \$4,000	[\$158]	\$243
4	Over \$4,000 but		
5	not over \$6,000	[\$154]	\$237
6	Over \$6,000 but		
7	not over \$8,000	[\$149]	\$230
8	Over \$8,000 but		
9	not over \$10,000	[\$145]	\$223
10	Over \$10,000 but		
11	not over \$12,000	[\$140]	\$217
12	Over \$12,000 but		
13	not over \$14,000	[\$136]	\$210
14	Over \$14,000 but		
15	not over \$16,000	[\$132]	\$203
16	Over \$16,000 but		
17	not over \$18,000	[\$128]	\$197
18	Over \$18,000 but		
19	not over \$20,000	[\$123]	\$190
20	Over \$20,000 but		
21	not over \$22,000	[\$119]	\$183
22	Over \$22,000 but		
23	not over \$24,000	[\$115]	\$177
24	Over \$24,000 but		
25	not over \$26,000	[\$110]	\$170
26	Over \$26,000 but		
27	not over \$28,000	[\$106]	\$163
28	Over \$28,000 but		
29	not over \$30,000	[\$102]	\$157
30	Over \$30,000 but		
31	not over \$32,000	[\$97]	\$150
32	Over \$32,000 but		
33	not over \$34,000	[\$93]	\$143
34	Over \$34,000 but		
35	not over \$36,000	[\$89]	\$137

36 S 3. This act shall take effect immediately; provided, however, that
37 section two of this act shall take effect January 1, 2014.