

# STATE OF NEW YORK

5377

2025-2026 Regular Sessions

## IN ASSEMBLY

February 13, 2025

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

AN ACT to amend the tax law, in relation to computation of franchise tax on taxpayers with a business income base exceeding five million dollars

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph of paragraph (a) of subdivision 1 of  
2 section 210 of the tax law, as amended by section 1 of subpart A of part  
3 I of chapter 59 of the laws of 2023, is amended to read as follows:  
4 For taxable years beginning before January first, two thousand  
5 sixteen, the amount prescribed by this paragraph shall be computed at  
6 the rate of seven and one-tenth percent of the taxpayer's business  
7 income base. For taxable years beginning on or after January first, two  
8 thousand sixteen, the amount prescribed by this paragraph shall be six  
9 and one-half percent of the taxpayer's business income base. For taxable  
10 years beginning on or after January first, two thousand twenty-one and  
11 before January first, two thousand [~~twenty-seven~~ twenty-five for any  
12 taxpayer with a business income base for the taxable year of more than  
13 five million dollars, the amount prescribed by this paragraph shall be  
14 seven and one-quarter percent of the taxpayer's business income base.  
15 For taxable years beginning on or after January first, two thousand  
16 twenty-five for any taxpayer with a business income base for the taxable  
17 year of more than five million dollars, the amount prescribed by this  
18 paragraph shall be nine percent of the taxpayer's business income base.  
19 The taxpayer's business income base shall mean the portion of the  
20 taxpayer's business income apportioned within the state as hereinafter  
21 provided. However, in the case of a small business taxpayer, as defined  
22 in paragraph (f) of this subdivision, the amount prescribed by this  
23 paragraph shall be computed pursuant to subparagraph (iv) of this para-  
24 graph and in the case of a manufacturer, as defined in subparagraph (vi)

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

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1 of this paragraph, the amount prescribed by this paragraph shall be  
2 computed pursuant to subparagraph (vi) of this paragraph, and, in the  
3 case of a qualified emerging technology company, as defined in subpara-  
4 graph (vii) of this paragraph, the amount prescribed by this paragraph  
5 shall be computed pursuant to subparagraph (vii) of this paragraph.  
6 § 2. This act shall take effect immediately.