

STATE OF NEW YORK

6756--A

2025-2026 Regular Sessions

IN SENATE

March 24, 2025

Introduced by Sens. HOYLMAN-SIGAL, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the economic development law, in relation to the definition of business entity; and to amend the tax law, in relation to the allowance and application of the newspaper and broadcast media jobs tax credit

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

1 Section 1. Section 492 of the economic development law is amended by
2 adding a new subdivision 14 to read as follows:

3 14. "Business entity" shall include, but not be limited to, a not-for-
4 profit corporation and a public television or radio corporation.

5 § 2. Subdivision (a) of section 49 of the tax law, as added by section
6 3 of part AAA of chapter 56 of the laws of 2024, is amended to read as
7 follows:

8 (a) Allowance of credit. A taxpayer subject to tax under article
9 nine-A or article twenty-two of this chapter shall be allowed a credit
10 against such tax, pursuant to the provisions referenced in subdivision
11 (e) of this section. The amount of the credit is equal to the amount
12 determined pursuant to article twenty-seven of the economic development
13 law. Notwithstanding that a taxpayer is not subject to tax under arti-
14 cle nine-A or article twenty-two of this chapter, if the taxpayer is a
15 corporation to which article one of the not-for-profit corporation law
16 applies, or a public television or a radio corporation under section two
17 hundred thirty-six of the education law, it shall be allowed a credit
18 against the tax provided in this section. A taxpayer that is a partner
19 in a partnership, member of a limited liability company or shareholder
20 in a subchapter S corporation shall be allowed its pro-rata share of the

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

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1 credit allowed for the partnership, limited liability company or
2 subchapter S corporation. No cost or expense paid or incurred that is
3 included as part of the calculation of this credit shall be the basis of
4 any other tax credit allowed under this chapter.

5 § 3. Subparagraph 2 of subsection (ppp) of section 606 of the tax law,
6 as added by section 5 of part AAA of chapter 56 of the laws of 2024, is
7 amended to read as follows:

8 (2) Application of credit. If the amount of the credit allowed under
9 this subsection for the taxable year exceeds the taxpayer's tax for such
10 year, or, if the taxpayer is a corporation to which article one of the
11 not-for-profit corporation law applies or a public television or a radio
12 corporation under section two hundred thirty-six of the education law,
13 and has no tax for the credit allowed herein to offset, the excess shall
14 be treated as an overpayment of tax to be credited or refunded in
15 accordance with the provisions of section six hundred eighty-six of this
16 article, provided, however, that no interest will be paid thereon.

17 § 4. This act shall take effect immediately and shall apply to tax
18 years commencing on and after January 1, 2026.