

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. PERALTA, GUNTHER, P. RIVERA, GOTTFRIED, JEFFRIES, ZEBROWSKI, GREENE, KELLNER, ROSENTHAL -- Multi-Sponsored by -- M. of A. BOYLAND, DIAZ, GORDON, LIFTON, MAISEL, PHEFFER, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to increasing the authorized resident taxpayer contribution to family tuition accounts to \$10,000 per taxable year for each beneficiary thereof

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

1 Section 1. Paragraph 32 of subsection (c) of section 612 of the tax  
2 law, as amended by chapter 81 of the laws of 2008, is amended to read as  
3 follows:  
4 (32) Contributions made during the taxable year by an account owner to  
5 one or more family tuition accounts established under the New York state  
6 college choice tuition savings program provided for under article four-  
7 teen-A of the education law, to the extent not deductible or eligible  
8 for credit for federal income tax purposes, provided, however, the  
9 exclusion provided for in this paragraph; FOR AN INDIVIDUAL OR HEAD OF  
10 HOUSEHOLD, shall not exceed [five] TEN thousand dollars [for an individ-  
11 ual or head of household] FOR THE ACCOUNT OR ACCOUNTS OF EACH DESIGNATED  
12 BENEFICIARY, AS DEFINED IN SECTION SIX HUNDRED NINETY-FIVE-B OF THE  
13 EDUCATION LAW, and for married couples who file joint tax returns, shall  
14 not exceed ten thousand dollars FOR THE ACCOUNT OR ACCOUNTS OF EACH  
15 DESIGNATED BENEFICIARY, AS DEFINED IN SECTION SIX HUNDRED NINETY-FIVE-B  
16 OF THE EDUCATION LAW; provided, further, that such exclusion shall be  
17 available only to the account owner and not to any other person.  
18 S 2. This act shall take effect immediately and shall apply to the  
19 taxable year in which it takes effect and to all subsequent taxable  
20 years.

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

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