S T A T E O F N E W Y O R K

3592

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. CLARK, JOHN, JACOBS, ESPAILLAT -- Multi-Sponsored by -- M. of A. BRENNAN, GALEF, SWEENEY, TOWNS, WEINSTEIN -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to granting a tax credit to day care providers

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

Section 1. The tax law is amended by adding a new section 606-a to read as follows:

S 606-A. CREDIT FOR CERTAIN DAY CARE SERVICE PROVIDERS. (A) FOR PURPOSES OF THIS SUBSECTION:

(1) "QUALIFIED TAXPAYER" MEANS A PROVIDER OF DAY CARE LICENSED BY OR REGISTERED WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES, PURSUANT TO SECTION THREE HUNDRED NINETY OF THE SOCIAL SERVICES LAW, TO OPERATE A GROUP FAMILY DAY CARE PROGRAM OR FAMILY DAY CARE HOME.

(2) "HOME DAY CARE SERVICES" MEANS SERVICES PROVIDED BY A GROUP FAMILY DAY CARE PROGRAM OR FAMILY DAY CARE HOME LICENSED OR REGISTERED PURSUANT TO SECTION THREE HUNDRED NINETY OF THE SOCIAL SERVICES LAW.

(B) A QUALIFIED TAXPAYER SHALL BE ALLOWED A CREDIT, TO BE COMPUTED AS HEREINAFTER PROVIDED, AGAINST THE TAX IMPOSED BY SUBSECTIONS (A) THROUGH (D) OF SECTION SIX HUNDRED ONE OF THIS ARTICLE. THE AMOUNT OF THE CREDIT SHALL BE THE LESSER OF FIVE HUNDRED DOLLARS OR THE AMOUNT OF THE TAX IMPOSED BY SECTION SIX HUNDRED ONE OF THIS ARTICLE FOR THE TAXABLE YEAR, REDUCED BY THE CREDITS PERMITTED UNDER SECTIONS SIX HUNDRED TWENTY AND SIX HUNDRED TWENTY-ONE OF THIS ARTICLE, MULTIPLIED BY A FRACTION. THE FRACTION IS COMPUTED AS FOLLOWS: THE NUMERATOR IS NET INCOME DERIVED FROM BUSINESS ATTRIBUTABLE TO THE PROVISION OF HOME DAY CARE SERVICES (OR ZERO IF SUCH INCOME IS NEGATIVE) AND THE DENOMINATOR IS NEW YORK ADJUSTED GROSS INCOME.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

LBD06015-01-9