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

3707

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. KOON, SCHIMMINGER, DESTITO, SWEENEY, ENGLEBRIGHT -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to start-up high technology companies

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

Section 1. Subparagraph 3 of paragraph (j) of subdivision 12 of section 210 of the tax law, as amended by section 1 of part CC of chapter 85 of the laws of 2002, is amended to read as follows:

(3) has been subject to tax under this article for more than five taxable years (excluding short taxable years) PROVIDED, HOWEVER, IF THE TAXPAYER IS A START-UP HIGH TECHNOLOGY COMPANY OR A SMALL HIGH TECHNOLOGY COMPANY PURSUANT TO THE PROVISIONS OF SECTION THIRTY-ONE HUNDRED TWO-E OF THE PUBLIC AUTHORITIES LAW, THE REFERENCE TO "FIVE TAXABLE YEARS" IN THE PRECEDING SENTENCE SHALL BE READ AS "EIGHT TAXABLE YEARS".

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to taxable years beginning on or after such date.

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

LBD02445-01-9