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

5070

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY, DINOWITZ, PAULIN, WRIGHT -- Multi-Sponsored by -- M. of A. GALEF, GOTTFRIED, JOHN, V. LOPEZ, MILLMAN, PHEFFER, SWEENEY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to providing an exemption to an individual taxpayer who takes care of a parent or grandparent, sixty-two years of age or older, residing in the household

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

Section 1. Section 616 of the tax law is amended by adding a new subsection (c) to read as follows:

(C) ADDITIONAL EXEMPTION. IN THE CASE OF AN INDIVIDUAL WHO HAS A QUALIFIED PARENT OR GRANDPARENT LIVING IN THE SAME HOUSEHOLD, THERE SHALL BE ALLOWED AN ADDITIONAL PERSONAL INCOME TAX EXEMPTION FOR EACH QUALIFIED PARENT OR GRANDPARENT RESIDING IN THAT HOUSEHOLD. FOR PURPOSES OF THIS SUBSECTION THE TERM "QUALIFIED PARENT OR GRANDPARENT" MEANS A PARENT OR GRANDPARENT WHO:

(1) HAS AS HIS OR HER PRINCIPAL PLACE OF ABODE THE PRINCIPAL RESIDENCE OF THE TAXPAYER AND IS A MEMBER OF THE TAXPAYER'S HOUSEHOLD FOR MORE THAN ONE HUNDRED EIGHTY DAYS OF THE CALENDAR YEAR DURING WHICH THE TAXABLE YEAR OF THE TAXPAYER BEGINS,

(2) IS A DEPENDENT OF THE TAXPAYER (WITHIN THE MEANING GIVEN TO SUCH TERM BY SUBSECTION (A) OF SECTION ONE HUNDRED FIFTY-TWO OF THE INTERNAL REVENUE CODE OTHER THAN PARAGRAPH NINE OF SUCH SUBSECTION FOR SUCH CALENDAR YEAR), AND

(3) AT THE CLOSE OF SUCH CALENDAR YEAR, IS SIXTY-TWO YEARS OF AGE OR OLDER.

S 2. This act shall take effect on the thirty-first of December in the year in which it shall have become a law and shall apply to taxable years beginning after such date.

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

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