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

7005

2009-2010 Regular Sessions

I N A S S E M B L Y

March 18, 2009

Introduced by M. of A. SALADINO -- read once and referred to the Committee on Ways and Means

AN ACT to amend the New York city charter, in relation to exemptions of all non-city income for nonresident New York city employees and their spouses

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

Section 1. Section 1127 of the New York city charter, as added by a vote of the people of the city of New York at the general election held in November of 1988, is amended to read as follows:

S 1127. Condition precedent to employment. a. Notwithstanding the provisions of any local law, rule or regulation to the contrary, every person seeking employment with the city of New York or any of its agencies regardless of civil service classification or status shall sign an agreement as a condition precedent to such employment to the effect that if such person is or becomes a nonresident individual as that term is defined in section 11-1706 of the administrative code of the city of New York or any similar provision of such code, during employment by the city, such person AND HIS OR HER SPOUSE will pay to the city an amount, FOR ONLY COMPENSATION PAID BY THE CITY, by which a city personal income tax on residents computed and determined as if such person were a resident individual, as defined in such section, during such employment, exceeds the amount of any city earnings tax and city personal income tax imposed on such person for the same taxable period.

b. IF SUCH PERSON AND HIS OR HER SPOUSE EARN INCOME FROM AN EMPLOYER OTHER THAN THE CITY OF NEW YORK OR ANY OF ITS AGENCIES, SUCH PERSONS SHALL BE EXEMPT FROM THE PROVISIONS OF SUBDIVISION A OF THIS SECTION.

C. Whenever any provision of this charter, the administrative code of the city of New York or any rule or regulation promulgated pursuant to such charter or administrative code employs the term "salary", "compensation", or any other word or words having a similar meaning, such terms

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

LBD08320-01-9

shall be deemed and construed to mean the scheduled salary or compensation of any employee of the city of New York, undiminished by any amount payable pursuant to subdivision a of this section FOR ONLY SUCH COMPENSATION PAID BY THE CITY OF NEW YORK.

S 2. This act shall take effect immediately.