

1094

2009-2010 Regular Sessions

I N   S E N A T E

January 26, 2009

---

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to granting to purchasers of residential housing a credit against personal income tax in the amount of any downpayment made on such housing

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

1     Section 1. Section 606 of the tax law is amended by adding a new  
2     subsection (r-1) to read as follows:  
3     (R-1) CREDIT FOR DOWNPAYMENT MADE BY PURCHASERS OF RESIDENTIAL HOUS-  
4     ING. (1) A TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY  
5     SECTION SIX HUNDRED ONE OF THIS PART FOR ANY DOWNPAYMENT MADE ON THE  
6     PURCHASE OF A ONE- TO FOUR-FAMILY RESIDENCE LOCATED WITHIN THE STATE.  
7     ANY TAX CREDIT NOT USED IN THE TAXABLE YEAR IN WHICH THE RESIDENCE WAS  
8     PURCHASED MAY BE CARRIED FORWARD OR BACKWARDS FOR THE FIVE, IMMEDIATELY  
9     SUCCEEDING OR PRECEDING, CALENDAR OR FISCAL YEARS UNTIL THE FULL CREDIT  
10    HAS BEEN ALLOWED. THE AGGREGATE AMOUNT OF THE TAX CREDIT ALLOWED UNDER  
11    THIS SUBSECTION SHALL NOT EXCEED FIVE PERCENT OF THE PURCHASE PRICE OF  
12    THE RESIDENTIAL HOUSING.  
13    (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO TAXPAYERS  
14    WHO MEET THE ELIGIBILITY REQUIREMENTS IMPOSED BY THE STATE OF NEW YORK  
15    MORTGAGE AGENCY FOR ITS FORWARD COMMITMENT LOAN PROGRAM PURSUANT TO  
16    ARTICLE EIGHT OF THE PUBLIC AUTHORITIES LAW.  
17    S 2. This act shall take effect immediately and shall apply to taxable  
18    years commencing on or after the first of January next succeeding the  
19    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.

LBD02883-01-9