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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. KELLNER, ROSENTHAL, J. RIVERA, JAFFEE, BING, SPANO, GLICK, RAIA, MILLMAN, PAULIN -- Multi-Sponsored by -- M. of A. BOYLAND, MAISEL, PHEFFER, THIELE, TITONE, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to establishing a tax credit for the adoption of household pets

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 (ss) to read as follows:

3 (SS) CREDIT FOR THE ADOPTION OF HOUSEHOLD PETS. (1) GENERAL. AN INDI-
4 VIDUAL TAXPAYER SHALL BE ALLOWED A CREDIT FOR TAXABLE YEARS BEGINNING ON
5 OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN AGAINST THE TAX IMPOSED BY
6 THIS ARTICLE FOR THE COST OF ADOPTING A MAXIMUM OF THREE HOUSEHOLD PETS
7 PER TAXABLE YEAR FROM A QUALIFYING POUND, SHELTER, DULY INCORPORATED
8 SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, HUMANE SOCIETY, DOG,
9 CAT OR OTHER PROTECTIVE OR RESCUE ASSOCIATION. THE AMOUNT OF THE CREDIT
10 SHALL BE FOR THE ACTUAL COST OF SUCH ADOPTION, BUT SHALL NOT EXCEED THE
11 MAXIMUM CREDIT OF ONE HUNDRED DOLLARS PER HOUSEHOLD PET, FOR A MAXIMUM
12 OF THREE PETS PER TAXABLE YEAR.

13 (2) DEFINITION. THE TERM "HOUSEHOLD PET" SHALL MEAN ANY DOG, CAT OR
14 OTHER DOMESTICATED ANIMAL KEPT FOR THE PRIMARY PURPOSE OF COMPANIONSHIP
15 THAT IS NORMALLY MAINTAINED IN OR NEAR THE HOUSEHOLD OF THE OWNER OR
16 PERSON WHO CARES FOR SUCH DOMESTICATED ANIMAL, PROVIDED THAT KEEPING
17 SUCH ANIMAL IS NOT IN VIOLATION OF ANY APPLICABLE PROVISIONS OF FEDERAL,
18 STATE OR LOCAL LAW.

19 (3) WHEN CREDIT ALLOWED. THE CREDIT PROVIDED FOR IN THIS SUBSECTION
20 SHALL BE ALLOWED WITH RESPECT TO THE TAXABLE YEAR, COMMENCING AFTER
21 JANUARY FIRST, TWO THOUSAND ELEVEN, IN WHICH THE PET IS ADOPTED.

22 S 2. This act shall take effect immediately and shall apply to pet
23 adoptions in taxable years beginning on and after January 1, 2011.

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

LBD00595-01-1