

1840

2011-2012 Regular Sessions

I N S E N A T E

January 13, 2011

Introduced by Sens. OPPENHEIMER, DIAZ, SAMPSON -- 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 authorizing a tax credit for general volunteer services performed for a governmental entity or charitable not-for-profit corporations or organizations

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

1 Section 1. The tax law is amended by adding a new section 620-B to
2 read as follows:
3 S 620-B. CREDIT FOR GENERAL VOLUNTEER SERVICES PERFORMED FOR CHARITA-
4 BLE NOT-FOR-PROFIT CORPORATIONS OR ORGANIZATIONS. (A) GENERAL. A RESI-
5 DENT SHALL BE ALLOWED A CREDIT AGAINST THE TAX OTHERWISE DUE UNDER THIS
6 ARTICLE IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS, PROVIDED SUCH RESI-
7 DENT PERFORMED GENERAL VOLUNTEER SERVICES FOR AT LEAST ONE HUNDRED FIFTY
8 HOURS IN ANY TAXABLE YEAR FOR FEDERAL, STATE OR MUNICIPAL AGENCIES OR
9 CHARITABLE NOT-FOR-PROFIT CORPORATIONS OR ORGANIZATIONS.
10 (B) LIMITATION. NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF
11 THIS SECTION, SUCH CREDIT SHALL NOT EXCEED THE AMOUNT OF TAX OWED BY
12 SUCH RESIDENT FOR ANY TAXABLE YEAR; NOR SHALL ANY CREDIT BE GRANTED FOR
13 VOLUNTEER SERVICES PROVIDED BY A RESIDENT WHICH ARE NORMALLY AND CUSTOM-
14 ARILY PERFORMED BY A PAID EMPLOYEE OF THE FEDERAL, STATE OR MUNICIPAL
15 AGENCY OR THE CHARITABLE NOT-FOR-PROFIT CORPORATION OR ORGANIZATION FOR
16 WHICH THE RESIDENT IS PROVIDING SUCH SERVICES.
17 (C) REGULATIONS OF THE COMMISSIONER. THE COMMISSIONER SHALL PROVIDE BY
18 REGULATION A METHOD OF DOCUMENTING THE ACTUAL PERFORMANCE BY A RESIDENT
19 OF THE HOURS OF GENERAL VOLUNTEER SERVICE REQUIRED TO ESTABLISH ELIGI-
20 BILITY FOR THE TAX CREDIT AUTHORIZED HEREIN. THE COMMISSIONER SHALL ALSO
21 ISSUE CERTIFICATES OF ELIGIBILITY TO NOT-FOR-PROFIT CORPORATIONS OR
22 ORGANIZATIONS WHICH ARE ORGANIZED FOR CHARITABLE PURPOSES IF THE COMMIS-
23 SIONER IS SATISFIED, UPON APPLICATION OF SUCH CORPORATION OR ORGANIZA-

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

LBD06317-01-1

1 TION, THAT SUCH CORPORATION OR ORGANIZATION IS REGULARLY AND EFFECTIVELY
2 PERFORMING CHARITABLE WORKS CONSISTENT WITH THE PURPOSES FOR WHICH THE
3 SAME WERE INCORPORATED OR ORGANIZED. ONLY GENERAL VOLUNTEER SERVICES
4 PERFORMED FOR A FEDERAL, STATE OR MUNICIPAL AGENCY OR A CERTIFIED
5 NOT-FOR-PROFIT CORPORATION OR ORGANIZATION SHALL QUALIFY FOR THE CREDIT
6 AUTHORIZED HEREIN.

7 S 2. This act shall take effect immediately and shall apply to all
8 taxable years commencing after December thirty-first of the year preced-
9 ing such effective date.