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

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. GUNTHER, ZEBROWSKI, SPANO, GABRYSZAK, CASTRO, TITONE, HOOPER, ABBATE -- Multi-Sponsored by -- M. of A. BARCLAY, CROUCH, FINCH, V. LOPEZ, MAYERSOHN, McDONOUGH, MOLINARO, RAIA, SALADINO, SAYWARD, THIELE, TOWNS, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to providing an additional personal income tax exemption to an individual taxpayer who cares for a parent or immediate family member, seventy years of age or older, residing in the household of the taxpayer

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 ADDITION TO THE EXEMPTION PROVIDED FOR IN SUBSECTION (A) OF THIS SECTION FOR TAXABLE YEARS BEGINNING AFTER JANUARY FIRST, TWO THOUSAND TWELVE, A RESIDENT INDIVIDUAL SHALL BE ALLOWED AN ADDITIONAL NEW YORK EXEMPTION OF ONE THOUSAND DOLLARS FOR EACH DEPENDENT WHO IS OF THE AGE OF SEVENTY OR OLDER, WHOSE GROSS INCOME FOR THE TAXABLE YEAR IS NOT MORE THAN FIVE THOUSAND DOLLARS, OR IN THE CASE OF A HUSBAND AND WIFE WHERE INCOME IS DETERMINED JOINTLY, WHOSE GROSS INCOME IS NOT MORE THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS. FOR THE PURPOSES OF THIS SUBSECTION THE TERM "DEPENDENT" SHALL MEAN ANY OF THE FOLLOWING INDIVIDUALS FOR WHOM OVER ONE-HALF OF THE SUPPORT FOR THE TAXABLE YEAR WAS RECEIVED FROM THE TAXPAYER, AND WHO HAVE RESIDED IN THE PRINCIPAL RESIDENCE OF THE TAXPAYER FOR MORE THAN NINE MONTHS OF SUCH TAXABLE YEAR:

(1) IMMEDIATE FAMILY MEMBER OR SIBLING OF THE TAXPAYER;

(2) THE MOTHER OR FATHER OF THE TAXPAYER; OR

(3) THE STEPMOTHER OR STEPFATHER OF THE TAXPAYER.

S 2. This act shall take effect immediately.

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

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