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I N A S S E M B L Y

March 12, 2012

Introduced by M. of A. SCHIMMINGER, BENEDETTO, CASTRO, CRESPO, GANTT, GIBSON, JEFFRIES, LAVINE, MILLMAN, P. RIVERA, ROBERTS, SWEENEY -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, GLICK, GOTTFRIED, HIKIND, V. LOPEZ, THIELE, WEISENBERG -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to increasing the earned income tax credit

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

1 Section 1. Paragraph 1 of subsection (d) of section 606 of the tax
2 law, as amended by section 1 of part Q of chapter 63 of the laws of
3 2000, is amended to read as follows:
4 (1) General. A taxpayer shall be allowed a credit as provided herein
5 equal to (i) the applicable percentage of the earned income credit
6 allowed under section thirty-two of the internal revenue code for the
7 same taxable year, (ii) reduced by the credit permitted under subsection
8 (b) of this section.
9 The applicable percentage shall be (i) seven and one-half percent for
10 taxable years beginning in nineteen hundred ninety-four, (ii) ten
11 percent for taxable years beginning in nineteen hundred ninety-five,
12 (iii) twenty percent for taxable years beginning after nineteen hundred
13 ninety-five and before two thousand, (iv) twenty-two and one-half
14 percent for taxable years beginning in two thousand, (v) twenty-five
15 percent for taxable years beginning in two thousand one, (vi) twenty-
16 seven and one-half percent for taxable years beginning in two thousand
17 two, [and] (vii) thirty percent for taxable years beginning in two thou-
18 sand three AND BEFORE TWO THOUSAND TWELVE, (VIII) THIRTY-TWO AND
19 ONE-HALF PERCENT FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND TWELVE, AND
20 (IX) THIRTY-FIVE PERCENT FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND
21 THIRTEEN and thereafter. Provided, however, that if the reversion event,
22 as defined in this paragraph, occurs, the applicable percentage shall be
23 twenty percent for taxable years ending on or after the date on which
24 the reversion event occurred. The reversion event shall be deemed to
25 have occurred on the date on which federal action, including but not

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

LBD14656-01-2

1 limited to, administrative, statutory or regulatory changes, materially
2 reduces or eliminates New York state's allocation of the federal tempo-
3 rary assistance for needy families block grant, or materially reduces
4 the ability of the state to spend federal temporary assistance for needy
5 families block grant funds for the earned income credit or to apply
6 state general fund spending on the earned income credit toward the
7 temporary assistance for needy families block grant maintenance of
8 effort requirement, and the commissioner of the office of temporary and
9 disability assistance shall certify the date of such event to the
10 commissioner of taxation and finance, the director of the division of
11 the budget, the speaker of the assembly and the temporary president of
12 the senate.

13 S 2. This act shall take effect immediately.