

3956--C

2013-2014 Regular Sessions

I N S E N A T E

February 28, 2013

Introduced by Sens. GRISANTI, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to providing a tax credit for universal visitability

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 (xx) to read as follows:  
3 (XX) UNIVERSAL VISITABILITY TAX CREDIT. 1. FOR TAXABLE YEARS BEGINNING  
4 ON OR AFTER APRIL FIRST, TWO THOUSAND FIFTEEN, A RESIDENT TAXPAYER SHALL  
5 BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED BY THIS ARTICLE FOR A  
6 PORTION OF THE TOTAL PURCHASE PRICE PAID BY SUCH RESIDENT TAXPAYER FOR A  
7 NEW PRINCIPAL RESIDENCE ATTRIBUTABLE TO UNIVERSAL VISITABILITY OR THE  
8 TOTAL AMOUNT EXPENDED BY A RESIDENT TAXPAYER TO RETROFIT AN EXISTING  
9 PRINCIPAL RESIDENCE TO ACHIEVE UNIVERSAL VISITABILITY PROVIDED THAT THE  
10 NEW PRINCIPAL RESIDENCE OR THE RETROFITTING OF THE EXISTING PRINCIPAL  
11 RESIDENCE IS LOCATED WITHIN THIS STATE AND DESIGNED TO PROVIDE UNIVERSAL  
12 VISITABILITY AS DEFINED THROUGH THE ELIGIBILITY REQUIREMENTS ESTABLISHED  
13 BY GUIDELINES DEVELOPED BY THE DIVISION OF CODE ENFORCEMENT AND ADMINIS-  
14 TRATION WITHIN THE DEPARTMENT OF STATE.  
15 2. THE CREDIT SHALL BE ALLOWED FOR THE TAXABLE YEAR IN WHICH THE RESI-  
16 DENCE HAS BEEN PURCHASED OR CONSTRUCTED, OR THE RETROFITTING OR RENO-

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

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1 VATION OF THE RESIDENCE OR RESIDENTIAL UNIT HAS BEEN COMPLETED. THE  
2 CREDIT ALLOWED UNDER THIS SECTION SHALL NOT EXCEED (I) TWENTY-SEVEN  
3 HUNDRED FIFTY DOLLARS FOR THE PURCHASE OF A NEW RESIDENCE, OR (II) FIFTY  
4 PERCENT OF THE TOTAL AMOUNT EXPENDED, BUT NOT TO EXCEED TWENTY-SEVEN  
5 HUNDRED FIFTY DOLLARS FOR THE RETROFITTING OR RENOVATION OF EACH EXIST-  
6 ING RESIDENCE OR UNIT.

7 3. NO CREDIT SHALL BE ALLOWED UNDER THIS SECTION FOR THE PURCHASE,  
8 RETROFITTING OR RENOVATION OF RESIDENTIAL RENTAL PROPERTY.

9 4. IF THE AMOUNT OF THE CREDIT ALLOWABLE UNDER THIS SUBSECTION SHALL  
10 EXCEED THE TAXPAYER'S TAX FOR SUCH YEAR, THE EXCESS MAY BE CARRIED OVER  
11 TO THE FOLLOWING YEAR OR YEARS AND MAY BE DEDUCTED FROM THE TAXPAYER'S  
12 TAX FOR SUCH YEAR OR YEARS.

13 5. ELIGIBLE TAXPAYERS SHALL APPLY FOR THE CREDIT BY MAKING APPLICATION  
14 TO THE DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION WITHIN THE  
15 DEPARTMENT OF STATE. THE DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION  
16 WITHIN THE DEPARTMENT OF STATE SHALL ISSUE A CERTIFICATION FOR AN  
17 APPROVED APPLICATION TO THE TAXPAYER. THE TAXPAYER SHALL SUBMIT THE  
18 CERTIFICATION TOGETHER WITH THEIR PERSONAL INCOME RETURN.

19 S 2. This act shall take effect immediately.