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

4642--A

2013-2014 Regular Sessions

I N S E N A T E

April 16, 2013

Introduced by Sens. GRISANTI, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations 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 increasing the maximum award available under the historic preservation tax credit; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subparagraph (A) of paragraph 1 of subsection (oo) of section 606 of the tax law, as amended by section 1 of part F of chapter 59 of the laws of 2013, is amended to read as follows:

(A) For taxable years beginning on or after January first, two thousand ten and before January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to one hundred percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a) (2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed [five] SEVEN million dollars IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, NINE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN AND TWELVE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND EIGHTEEN--TWO THOUSAND NINETEEN. For taxable years beginning on or after January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to thirty percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal

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

LBD04642-07-3

internal revenue code with respect to a certified historic structure located within the state; provided, however, the credit shall not exceed one hundred thousand dollars.

S 2. Subparagraph (A) of paragraph 1 of subdivision 40 of section 210 of the tax law, as amended by section 2 of part F of chapter 59 of the laws of 2013, is amended to read as follows:

(A) For taxable years beginning on or after January first, two thousand ten and before January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to one hundred percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a) (2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed [five] SEVEN million dollars IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, NINE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN AND TWELVE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND EIGHTEEN--TWO THOUSAND NINETEEN. For taxable years beginning on or after January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to thirty percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed one hundred thousand dollars.

S 3. Subparagraph (A) of paragraph 1 of subsection (u) of section 1456 of the tax law, as amended by section 3 of part F of chapter 59 of the laws of 2013, is amended to read as follows:

(A) For taxable years beginning on or after January first, two thousand ten and before January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to one hundred percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed [five] SEVEN million dollars IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, NINE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN AND TWELVE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND EIGHTEEN--TWO THOUSAND NINETEEN. For taxable years beginning on or after January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to thirty percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed one hundred thousand dollars.

S 4. Subparagraph (A) of paragraph 1 of subdivision (y) of section 1511 of the tax law, as amended by section 4 of part F of chapter 59 of the laws of 2013, is amended to read as follows:

(A) For taxable years beginning on or after January first, two thousand ten and before January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to one hundred percent of the amount of

credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed [five] SEVEN million dollars IN STATE FISCAL YEAR TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN, NINE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND SEVENTEEN--TWO THOUSAND EIGHTEEN AND TWELVE MILLION DOLLARS IN STATE FISCAL YEAR TWO THOUSAND EIGHTEEN--TWO THOUSAND NINETEEN. For taxable years beginning on or after January first, two thousand twenty, a taxpayer shall be allowed a credit as hereinafter provided, against the tax imposed by this article, in an amount equal to thirty percent of the amount of credit allowed the taxpayer with respect to a certified historic structure under subsection (a)(2) of section 47 of the federal internal revenue code with respect to a certified historic structure located within the state. Provided, however, the credit shall not exceed one hundred thousand dollars.

S 5. This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2014 provided that this act shall expire and be deemed repealed on and after December 31, 2020.