

770--A

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. FUSCHILLO, AVELLA, CARLUCCI, GOLDEN, LAVALLE, LITTLE, MARTINS, SAVINO, SERRANO, STAVISKY, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- 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

AN ACT to amend the tax law, in relation to qualified transportation fringe benefits

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

1     Section 1. Subsection (c) of section 612 of the tax law is amended by  
2     adding a new paragraph 40 to read as follows:  
3     (40) FOR ANY MONTH THE DOLLAR AMOUNT IN EFFECT UNDER SUBPARAGRAPH (A)  
4     OF PARAGRAPH TWO OF SUBSECTION (F) OF SECTION ONE HUNDRED THIRTY-TWO OF  
5     THE INTERNAL REVENUE CODE IS GREATER THAN THE DOLLAR AMOUNT IN EFFECT  
6     UNDER SUBPARAGRAPH (B) OF PARAGRAPH TWO OF SUBSECTION (F) OF SECTION ONE  
7     HUNDRED THIRTY-TWO OF THE INTERNAL REVENUE CODE FOR THE SAME MONTH, THE  
8     AMOUNT OF QUALIFIED TRANSPORTATION FRINGE BENEFITS INCLUDED IN FEDERAL  
9     ADJUSTED GROSS INCOME EQUAL TO THE DIFFERENCE BETWEEN THE DOLLAR AMOUNTS  
10    IN EFFECT FOR SUBPARAGRAPHS (A) AND (B) OF PARAGRAPH TWO OF SUBSECTION  
11    (F) OF SECTION ONE HUNDRED THIRTY-TWO OF THE INTERNAL REVENUE CODE.  
12    NOTWITHSTANDING THE FOREGOING, IF, PURSUANT TO THIS PARAGRAPH, THE  
13    AMOUNT THAT WOULD BE IN EFFECT FOR ANY MONTH UNDER SUBPARAGRAPH (A) OR  
14    (B) OF PARAGRAPH TWO OF SUBSECTION (F) OF SECTION ONE HUNDRED THIRTY-TWO  
15    OF THE INTERNAL REVENUE CODE IS LESS THAN ONE HUNDRED SEVENTY-FIVE  
16    DOLLARS, SUBPARAGRAPHS (A) AND (B) SHALL BE APPLIED AS IF THE DOLLAR  
17    AMOUNT IN EFFECT FOR SUCH MONTH UNDER SUCH SUBPARAGRAPHS WAS ONE HUNDRED  
18    SEVENTY-FIVE DOLLARS.  
19    S 2. This act shall take effect immediately and shall apply to taxable  
20    years beginning on or after January 1, 2013.

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

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