

2223

2013-2014 Regular Sessions

I N S E N A T E

January 14, 2013

Introduced by Sens. LAVALLE, DeFRANCISCO, FLANAGAN, MAZIARZ, RANZENHOF-
ER, SEWARD, ZELDIN -- read twice and ordered printed, and when printed
to be committed to the Committee on Investigations and Government
Operations

AN ACT to amend the tax law, in relation to the definition of "allowable
college tuition expenses" and the tax credit allowed for such expenses

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

1 Section 1. Subparagraph (A) of paragraph 2 of subsection (t) of
2 section 606 of the tax law, as amended by section 1 of part N of chapter
3 85 of the laws of 2002, is amended to read as follows:

4 (A) The term "allowable college tuition expenses" shall mean the
5 amount of qualified college tuition expenses of eligible students paid
6 by the taxpayer during the taxable year[,]. THE AMOUNT OF QUALIFIED
7 COLLEGE TUITION EXPENSES SHALL BE limited [to] AS FOLLOWS: FOR TAXABLE
8 YEARS BEGINNING AFTER TWO THOUSAND AND BEFORE TWO THOUSAND FOURTEEN, ten
9 thousand dollars for each such student; FOR TAXABLE YEARS BEGINNING IN
10 TWO THOUSAND FOURTEEN, TWELVE THOUSAND DOLLARS FOR EACH STUDENT; FOR
11 TAXABLE YEARS BEGINNING IN TWO THOUSAND FIFTEEN, FOURTEEN THOUSAND
12 DOLLARS FOR EACH STUDENT; FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND
13 SIXTEEN, SIXTEEN THOUSAND DOLLARS FOR EACH STUDENT; FOR TAXABLE YEARS
14 BEGINNING IN TWO THOUSAND SEVENTEEN, EIGHTEEN THOUSAND DOLLARS FOR EACH
15 STUDENT; AND FOR TAXABLE YEARS BEGINNING AFTER TWO THOUSAND SEVENTEEN,
16 TWENTY THOUSAND DOLLARS PER STUDENT;

17 S 2. Paragraph 4 of subsection (t) of section 606 of the tax law, as
18 added by section 1 of part DD of chapter 63 of the laws of 2000, is
19 amended to read as follows:

20 (4) Amount of credit. [If allowable college tuition expenses are less
21 than five thousand dollars, the amount of the credit provided under this
22 subsection shall be equal to the applicable percentage of the lesser of
23 allowable college tuition expenses or two hundred dollars. If allowable

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

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1 college tuition expenses are five thousand dollars or more, the amount
 2 of the credit provided under this subsection shall be equal to the
 3 applicable percentage of the allowable college tuition expenses multi-
 4 plied by four percent.]

5 THE AMOUNT OF THE CREDIT SHALL BE DETERMINED IN ACCORDANCE WITH THE
 6 FOLLOWING SCHEDULES:

7 (A) FOR TAXABLE YEARS BEGINNING AFTER TWO THOUSAND AND BEFORE TWO
 8 THOUSAND FOURTEEN:

9 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
10 EXPENSES ARE:	
11 LESS THAN FIVE THOUSAND DOLLARS	THE APPLICABLE PERCENTAGE OF THE
	LESSER OF ALLOWABLE COLLEGE TUITION
	EXPENSES OR TWO HUNDRED DOLLARS
14 FIVE THOUSAND DOLLARS OR MORE	THE APPLICABLE PERCENTAGE OF
	ALLOWABLE COLLEGE TUITION EXPENSES
	MULTIPLIED BY FOUR PERCENT

17 (B) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND FOURTEEN:	
18 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
19 EXPENSES ARE:	
20 LESS THAN SIX THOUSAND DOLLARS	THE LESSER OF ALLOWABLE COLLEGE
	TUITION EXPENSES OR TWO HUNDRED
	FORTY DOLLARS
23 SIX THOUSAND DOLLARS OR MORE	THE ALLOWABLE COLLEGE TUITION
	EXPENSES MULTIPLIED BY FOUR PERCENT

25 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND FIFTEEN:	
26 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
27 EXPENSES ARE:	
28 LESS THAN SEVEN THOUSAND DOLLARS	THE LESSER OF ALLOWABLE COLLEGE
	TUITION EXPENSES OR TWO HUNDRED
	EIGHTY DOLLARS
31 SEVEN THOUSAND DOLLARS OR MORE	THE ALLOWABLE COLLEGE TUITION
	EXPENSES MULTIPLIED BY FOUR PERCENT

33 (D) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:	
34 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
35 EXPENSES ARE:	
36 LESS THAN EIGHT THOUSAND DOLLARS	THE LESSER OF ALLOWABLE COLLEGE
	TUITION EXPENSES OR THREE HUNDRED
	TWENTY DOLLARS
39 EIGHT THOUSAND DOLLARS OR MORE	THE ALLOWABLE COLLEGE TUITION
	EXPENSES MULTIPLIED BY FOUR PERCENT

41 (E) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SEVENTEEN:	
42 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
43 EXPENSES ARE:	
44 LESS THAN NINE THOUSAND DOLLARS	THE LESSER OF ALLOWABLE COLLEGE
	TUITION EXPENSES OR THREE HUNDRED
	SIXTY DOLLARS
47 NINE THOUSAND DOLLARS OR MORE	THE ALLOWABLE COLLEGE TUITION
	EXPENSES MULTIPLIED BY FOUR PERCENT

49 (F) FOR TAXABLE YEARS BEGINNING AFTER TWO THOUSAND SEVENTEEN:	
50 IF ALLOWABLE COLLEGE TUITION	THE TAX CREDIT IS EQUAL TO:
51 EXPENSES ARE:	
52 LESS THAN TEN THOUSAND DOLLARS	THE LESSER OF ALLOWABLE COLLEGE
	TUITION EXPENSES OR FOUR HUNDRED
	DOLLARS
55 TEN THOUSAND DOLLARS OR MORE	THE ALLOWABLE COLLEGE TUITION
	EXPENSES MULTIPLIED BY FOUR PERCENT

1 Such applicable percentage shall be twenty-five percent for taxable
2 years beginning in two thousand one, fifty percent for taxable years
3 beginning in two thousand two, seventy-five percent for taxable years
4 beginning in two thousand three and one hundred percent for taxable
5 years beginning after two thousand three.

6 S 3. This act shall take effect immediately and shall apply to taxable
7 years beginning on or after January 1, 2014.