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2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. RODRIGUEZ -- read once and referred to the
Committee on Ways and Means

AN ACT to amend the administrative code of the city of New York and the
tax law, in relation to establishing a tax table benefit recapture;
and in relation to New York city personal income tax rates

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

1 Section 1. Section 11-1701 of the administrative code of the city of
2 New York is amended by adding a new subdivision (i) to read as follows:
3 (I) TAX TABLE BENEFIT RECAPTURE. FOR TAXABLE YEARS BEGINNING IN TWO
4 THOUSAND SIXTEEN, THERE IS HEREBY IMPOSED A SUPPLEMENTAL TAX, IN ADDI-
5 TION TO THE TAX IMPOSED UNDER THE OPENING PARAGRAPH OF THIS SECTION, FOR
6 THE PURPOSE OF RECAPTURING THE BENEFIT OF THE TAX TABLES CONTAINED IN
7 SUBDIVISION (A) OF THIS SECTION. THE SUPPLEMENTAL TAX SHALL BE AN AMOUNT
8 EQUAL TO THE SUM OF THE TAX TABLE BENEFITS IN PARAGRAPHS ONE, TWO AND
9 THREE OF THIS SUBDIVISION MULTIPLIED BY THEIR RESPECTIVE FRACTIONS IN
10 SUCH PARAGRAPHS.
11 (1) RESIDENT MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING
12 SPOUSES. SUBPARAGRAPHS (A) AND (B) OF THIS PARAGRAPH APPLY ONLY TO
13 FILERS WHOSE TAXABLE INCOME EXCEEDS \$250,000.
14 (A) THE TAX TABLE BENEFIT IS \$333.
15 (B) THE FRACTION IS COMPUTED AS FOLLOWS: THE NUMERATOR IS THE LESSER
16 OF FIFTY THOUSAND DOLLARS OR THE EXCESS OF NEW YORK ADJUSTED GROSS
17 INCOME FOR THE TAXABLE YEAR OVER TWO HUNDRED FIFTY THOUSAND DOLLARS AND
18 THE DENOMINATOR IS FIFTY THOUSAND DOLLARS.
19 (2) RESIDENT UNMARRIED INDIVIDUALS AND RESIDENT MARRIED INDIVIDUALS
20 FILING SEPARATE RETURNS. SUBPARAGRAPHS (A) AND (B) OF THIS PARAGRAPH
21 APPLY ONLY TO FILERS WHOSE TAXABLE INCOME EXCEEDS \$150,000.
22 (A) THE TAX TABLE BENEFIT IS \$185.
23 (B) THE FRACTION IS COMPUTED AS FOLLOWS: THE NUMERATOR IS THE LESSER
24 OF FIFTY THOUSAND DOLLARS OR THE EXCESS OF NEW YORK ADJUSTED GROSS

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

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1 INCOME FOR THE TAXABLE YEAR OVER ONE HUNDRED FIFTY THOUSAND DOLLARS AND
2 THE DENOMINATOR IS FIFTY THOUSAND DOLLARS.

3 (3) RESIDENT HEAD OF HOUSEHOLD. SUBPARAGRAPHS (A) AND (B) OF THIS
4 PARAGRAPH APPLY ONLY TO FILERS WHOSE TAXABLE INCOME EXCEEDS \$180,000.

5 (A) THE TAX TABLE BENEFIT IS \$222.

6 (B) THE FRACTION IS COMPUTED AS FOLLOWS: THE NUMERATOR IS THE LESSER
7 OF FIFTY THOUSAND DOLLARS OR THE EXCESS OF NEW YORK ADJUSTED GROSS
8 INCOME FOR THE TAXABLE YEAR OVER ONE HUNDRED EIGHTY THOUSAND DOLLARS AND
9 THE DENOMINATOR IS FIFTY THOUSAND DOLLARS.

10 S 2. Paragraph 1 of subdivision (a) of section 11-1701 of the admin-
11 istrative code of the city of New York is amended by adding a new
12 subparagraph (C) to read as follows:

13 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:

| | |
|-----------------------------------|-----------------------------------|
| 14 IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
| 15 NOT OVER \$21,600 | 2.168% OF THE CITY TAXABLE INCOME |
| 16 OVER \$21,600 BUT NOT | \$468 PLUS 2.635% OF EXCESS |
| 17 OVER \$45,000 | OVER \$21,600 |
| 18 OVER \$45,000 BUT NOT | \$1,085 PLUS 2.993% OF EXCESS |
| 19 OVER \$90,000 | OVER \$45,000 |
| 20 OVER \$90,000 BUT NOT | \$2,432 PLUS 3.15% OF EXCESS |
| 21 OVER \$150,000 | OVER \$90,000 |
| 22 OVER \$150,000 BUT NOT | \$4,322 PLUS 3.2% OF EXCESS |
| 23 OVER \$500,000 | OVER \$150,000 |
| 24 OVER \$500,000 BUT NOT | \$15,522 PLUS 3.4% OF EXCESS |
| 25 OVER \$1,000,000 | OVER \$500,000 |
| 26 OVER \$1,000,000 BUT NOT | \$32,522 PLUS 3.7% OF EXCESS |
| 27 OVER \$2,000,000 | OVER \$1,000,000 |
| 28 OVER \$2,000,000 | \$69,522 PLUS 3.8% OF EXCESS |
| 29 | OVER \$2,000,000 |

30 S 3. Paragraph 2 of subdivision (a) of section 11-1701 of the adminis-
31 trative code of the city of New York is amended by adding a new subpara-
32 graph (C) to read as follows:

33 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:

| | |
|-----------------------------------|-----------------------------------|
| 34 IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
| 35 NOT OVER \$14,400 | 2.168% OF THE CITY TAXABLE INCOME |
| 36 OVER \$14,400 BUT NOT | \$312 PLUS 2.635% OF EXCESS |
| 37 OVER \$30,000 | OVER \$14,400 |
| 38 OVER \$30,000 BUT NOT | \$723 PLUS 2.993% OF EXCESS |
| 39 OVER \$60,000 | OVER \$30,000 |
| 40 OVER \$60,000 BUT NOT | \$1,621 PLUS 3.15% OF EXCESS |
| 41 OVER \$100,000 | OVER \$60,000 |
| 42 OVER \$100,000 BUT NOT | \$2,881 PLUS 3.2% OF EXCESS |
| 43 OVER \$500,000 | OVER \$100,000 |
| 44 OVER \$500,000 BUT NOT | \$15,681 PLUS 3.4% OF EXCESS |
| 45 OVER \$1,000,000 | OVER \$500,000 |
| 46 OVER \$1,000,000 BUT NOT | \$32,681 PLUS 3.7% OF EXCESS |
| 47 OVER \$2,000,000 | OVER \$1,000,000 |
| 48 OVER \$2,000,000 | \$69,681 PLUS 3.8% OF EXCESS |
| 49 | OVER \$2,000,000 |

50 S 4. Paragraph 3 of subdivision (a) of section 11-1701 of the adminis-
51 trative code of the city of New York is amended by adding a new subpara-
52 graph (C) to read as follows:

1 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:

| 2 IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
|----------------------------------|-----------------------------------|
| 3 NOT OVER \$12,000 | 2.168% OF THE CITY TAXABLE INCOME |
| 4 OVER \$12,000 BUT NOT | \$260 PLUS 2.635% OF EXCESS |
| 5 OVER \$25,000 | OVER \$12,000 |
| 6 OVER \$25,000 BUT NOT | \$603 PLUS 2.993% OF EXCESS |
| 7 OVER \$50,000 | OVER \$25,000 |
| 8 OVER \$50,000 BUT NOT | \$1,351 PLUS 3.15% OF EXCESS |
| 9 OVER \$83,000 | OVER \$50,000 |
| 10 OVER \$83,000 BUT NOT | \$2,400 PLUS 3.2% OF EXCESS |
| 11 OVER \$500,000 | OVER \$83,000 |
| 12 OVER \$500,000 BUT NOT | \$15,734 PLUS 3.4% OF EXCESS |
| 13 OVER \$1,000,000 | OVER \$500,000 |
| 14 OVER \$1,000,000 BUT NOT | \$32,734 PLUS 3.7% OF EXCESS |
| 15 OVER \$2,000,000 | OVER \$1,000,000 |
| 16 OVER \$2,000,000 | \$69,734 PLUS 3.8% OF EXCESS |
| 17 | OVER \$2,000,000 |

18 S 5. Paragraph 1 of subsection (a) of section 1304 of the tax law is
19 amended by adding a new subparagraph (C) to read as follows:

20 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:

| 21 IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
|-----------------------------------|-----------------------------------|
| 22 NOT OVER \$21,600 | 2.168% OF THE CITY TAXABLE INCOME |
| 23 OVER \$21,600 BUT NOT | \$468 PLUS 2.635% OF EXCESS |
| 24 OVER \$45,000 | OVER \$21,600 |
| 25 OVER \$45,000 BUT NOT | \$1,085 PLUS 2.993% OF EXCESS |
| 26 OVER \$90,000 | OVER \$45,000 |
| 27 OVER \$90,000 BUT NOT | \$2,432 PLUS 3.15% OF EXCESS |
| 28 OVER \$150,000 | OVER \$90,000 |
| 29 OVER \$150,000 BUT NOT | \$4,322 PLUS 3.2% OF EXCESS |
| 30 OVER \$500,000 | OVER \$150,000 |
| 31 OVER \$500,000 BUT NOT | \$15,522 PLUS 3.4% OF EXCESS |
| 32 OVER \$1,000,000 | OVER \$500,000 |
| 33 OVER \$1,000,000 BUT NOT | \$32,522 PLUS 3.7% OF EXCESS |
| 34 OVER \$2,000,000 | OVER \$1,000,000 |
| 35 OVER \$2,000,000 | \$69,522 PLUS 3.8% OF EXCESS |
| 36 | OVER \$2,000,000 |

37 S 6. Paragraph 2 of subsection (a) of section 1304 of the tax law is
38 amended by adding a new subparagraph (C) to read as follows:

39 (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN:

| 40 IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
|-----------------------------------|-----------------------------------|
| 41 NOT OVER \$14,400 | 2.168% OF THE CITY TAXABLE INCOME |
| 42 OVER \$14,400 BUT NOT | \$312 PLUS 2.635% OF EXCESS |
| 43 OVER \$30,000 | OVER \$14,400 |
| 44 OVER \$30,000 BUT NOT | \$723 PLUS 3.15% OF EXCESS |
| 45 OVER \$60,000 | OVER \$30,000 |
| 46 OVER \$60,000 BUT NOT | \$1,621 PLUS 3.15% OF EXCESS |
| 47 OVER \$100,000 | OVER \$60,000 |
| 48 OVER \$100,000 BUT NOT | \$2,881 PLUS 3.2% OF EXCESS |
| 49 OVER \$500,000 | OVER \$100,000 |
| 50 OVER \$500,000 BUT NOT | \$15,681 PLUS 3.4% OF EXCESS |
| 51 OVER \$1,000,000 | OVER \$500,000 |

| | | |
|---|--------------------------|------------------------------|
| 1 | OVER \$1,000,000 BUT NOT | \$32,681 PLUS 3.7% OF EXCESS |
| 2 | OVER \$2,000,000 | OVER \$1,000,000 |
| 3 | OVER \$2,000,000 | \$69,681 PLUS 3.8% OF EXCESS |
| 4 | | OVER \$2,000,000 |

5 S 7. Paragraph 3 of subsection (a) of section 1304 of the tax law is
6 amended by adding a new subparagraph (C) to read as follows:

| | | |
|----|--|-----------------------------------|
| 7 | (C) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND SIXTEEN: | |
| 8 | IF THE CITY TAXABLE INCOME IS: | THE TAX IS: |
| 9 | NOT OVER \$12,000 | 2.168% OF THE CITY TAXABLE INCOME |
| 10 | OVER \$12,000 BUT NOT | \$260 PLUS 2.635% OF EXCESS |
| 11 | OVER \$25,000 | OVER \$12,000 |
| 12 | OVER \$25,000 BUT NOT | \$603 PLUS 2.993% OF EXCESS |
| 13 | OVER \$50,000 | OVER \$25,000 |
| 14 | OVER \$50,000 BUT NOT | \$1,351 PLUS 3.15% OF EXCESS |
| 15 | OVER \$83,000 | OVER \$50,000 |
| 16 | OVER \$83,000 BUT NOT | \$2,400 PLUS 3.2% OF EXCESS |
| 17 | OVER \$500,000 | OVER \$83,000 |
| 18 | OVER \$500,000 BUT NOT | \$15,734 PLUS 3.4% OF EXCESS |
| 19 | OVER \$1,000,000 | OVER \$500,000 |
| 20 | OVER \$1,000,000 BUT NOT | \$32,734 PLUS 3.7% OF EXCESS |
| 21 | OVER \$2,000,000 | OVER \$1,000,000 |
| 22 | OVER \$2,000,000 | \$69,734 PLUS 3.8% OF EXCESS |
| 23 | | OVER \$2,000,000 |

24 S 8. The commissioner of taxation and finance shall take steps to
25 publicize the necessary adjustments to estimated tax and, to the extent
26 reasonably possible, to inform the taxpayer of the tax liability changes
27 made by this act.

28 S 9. This act shall take effect immediately.