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

10658

I N A S S E M B L Y

June 10, 2016

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Simon) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to establishing a tax deduction for the adoption of a child with special needs

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

Section 1. Subsection (d) of section 615 of the tax law is amended by adding a new paragraph 5 to read as follows:

(5) AN AMOUNT EQUAL TO TEN THOUSAND DOLLARS FOR THE ADOPTION OF A CHILD WITH SPECIAL NEEDS. THE AMOUNT ALLOWED BY THIS PARAGRAPH MAY BE USED BY A TAXPAYER TO INCREASE HIS OR HER DEDUCTION IN EACH YEAR THAT THE TAXPAYER IS THE LEGAL PARENT OF A CHILD WITH SPECIAL NEEDS.

FOR PURPOSES OF THIS PARAGRAPH, A CHILD WITH SPECIAL NEEDS SHALL MEAN ANY CHILD WHO IS UNDER THE AGE OF TWENTY-ONE AND WHO POSSESSES A SPECIFIC PHYSICAL, MENTAL, OR EMOTIONAL CONDITION OR DISABILITY OF SUCH SEVERITY OR KIND THAT, IN THE OPINION OF THE OFFICE OF CHILDREN AND FAMILY SERVICES, WOULD CONSTITUTE A SIGNIFICANT OBSTACLE TO THE CHILD'S ADOPTION.

S 2. This act shall take effect immediately and shall apply to taxable years commencing on and after January 1, 2016.

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

LBD08564-04-6