

1 revenue code, have a situs in this state and are (A) principally used by
2 the taxpayer in the production of goods by manufacturing, processing,
3 assembling, refining, mining, extracting, farming, agriculture, horti-
4 culture, floriculture, viticulture or commercial fishing, (B) industrial
5 waste treatment facilities or air pollution control facilities, used in
6 the taxpayer's trade or business, (C) research and development property,
7 or (D) principally used in the ordinary course of the taxpayer's trade
8 or business as a broker or dealer in connection with the purchase or
9 sale (which shall include but not be limited to the issuance, entering
10 into, assumption, offset, assignment, termination, or transfer) of
11 stocks, bonds or other securities as defined in section four hundred
12 seventy-five (c)(2) of the Internal Revenue Code, or of commodities as
13 defined in section four hundred seventy-five (e) of the Internal Revenue
14 Code, (E) principally used in the ordinary course of the taxpayer's
15 trade or business of providing investment advisory services for a regu-
16 lated investment company as defined in section eight hundred fifty-one
17 of the Internal Revenue Code, or lending, loan arrangement or loan orig-
18 ination services to customers in connection with the purchase or sale
19 (which shall include but not be limited to the issuance, entering into,
20 assumption, offset, assignment, termination, or transfer) of securities
21 as defined in section four hundred seventy-five (c)(2) of the Internal
22 Revenue Code, (F) originally used in the ordinary course of the taxpay-
23 er's business as an exchange registered as a national securities
24 exchange within the meaning of sections 3(a)(1) and 6(a) of the Securi-
25 ties Exchange Act of 1934 or a board of trade as defined in section
26 1410(a)(1) of the New York Not-for-Profit Corporation Law or as an enti-
27 ty that is wholly owned by one or more such national securities
28 exchanges or boards of trade and that provides automation or technical
29 services thereto, [or] (G) principally used as a qualified film
30 production facility including qualified film production facilities
31 having a situs in an empire zone designated as such pursuant to article
32 eighteen-B of the general municipal law, where the taxpayer is providing
33 three or more services to any qualified film production company using
34 the facility, including such services as a studio lighting grid, light-
35 ing and grip equipment, multi-line phone service, broadband information
36 technology access, industrial scale electrical capacity, food services,
37 security services, and heating, ventilation and air conditioning, OR (H)
38 PRINCIPALLY USED IN THE ORDINARY COURSE OF ANY TRADE OR BUSINESS OF THE
39 TAXPAYER NOT OTHERWISE DESCRIBED IN CLAUSES (A) THROUGH (G) OF THIS
40 SUBPARAGRAPH. Provided, however, a taxpayer shall not be allowed the
41 credit provided by clauses (D), (E) and (F) of this subparagraph unless
42 (i) eighty percent or more of the employees performing the administra-
43 tive and support functions resulting from or related to the qualifying
44 uses of such equipment are located in this state or (ii) the average
45 number of employees that perform the administrative and support func-
46 tions resulting from or related to the qualifying uses of such equipment
47 and are located in this state during the taxable year for which the
48 credit is claimed is equal to or greater than ninety-five percent of the
49 average number of employees that perform these functions and are located
50 in this state during the thirty-six months immediately preceding the
51 year for which the credit is claimed, or (iii) the number of employees
52 located in this state during the taxable year for which the credit is
53 claimed is equal to or greater than ninety percent of the number of
54 employees located in this state on December thirty-first, nineteen
55 hundred ninety-eight or, if the taxpayer was not a calendar year taxpay-
56 er in nineteen hundred ninety-eight, the last day of its first taxable

1 year ending after December thirty-first, nineteen hundred ninety-eight.
2 If the taxpayer becomes subject to tax in this state after the taxable
3 year beginning in nineteen hundred ninety-eight, then the taxpayer is
4 not required to satisfy the employment test provided in the preceding
5 sentence of this subparagraph for its first taxable year. For purposes
6 of clause (iii) of this subparagraph the employment test will be based
7 on the number of employees located in this state on the last day of the
8 first taxable year the taxpayer is subject to tax in this state. If the
9 uses of the property must be aggregated to determine whether the proper-
10 ty is principally used in qualifying uses, then either each affiliate
11 using the property must satisfy this employment test or this employment
12 test must be satisfied through the aggregation of the employees of the
13 taxpayer, its affiliated regulated broker, dealer, and registered
14 investment adviser using the property. For purposes of this subdivision,
15 the term "goods" shall not include electricity.

16 S 2. Subparagraph (A) of paragraph 2 of subsection (a) of section 606
17 of the tax law, as amended by chapter 637 of the laws of 2008, is
18 amended to read as follows:

19 (A) A credit shall be allowed under this subsection with respect to
20 tangible personal property and other tangible property, including build-
21 ings and structural components of buildings, which are: depreciable
22 pursuant to section one hundred sixty-seven of the internal revenue
23 code, have a useful life of four years or more, are acquired by purchase
24 as defined in section one hundred seventy-nine (d) of the internal
25 revenue code, have a situs in this state and are (i) principally used by
26 the taxpayer in the production of goods by manufacturing, processing,
27 assembling, refining, mining, extracting, farming, agriculture, horti-
28 culture, floriculture, viticulture or commercial fishing, (ii) indus-
29 trial waste treatment facilities or air pollution control facilities,
30 used in the taxpayer's trade or business, (iii) research and development
31 property, (iv) principally used in the ordinary course of the taxpayer's
32 trade or business as a broker or dealer in connection with the purchase
33 or sale (which shall include but not be limited to the issuance, enter-
34 ing into, assumption, offset, assignment, termination, or transfer) of
35 stocks, bonds or other securities as defined in section four hundred
36 seventy-five (c)(2) of the Internal Revenue Code, or of commodities as
37 defined in section 475(e) of the Internal Revenue Code, (v) principally
38 used in the ordinary course of the taxpayer's trade or business of
39 providing investment advisory services for a regulated investment compa-
40 ny as defined in section eight hundred fifty-one of the Internal Revenue
41 Code, or lending, loan arrangement or loan origination services to
42 customers in connection with the purchase or sale (which shall include
43 but not be limited to the issuance, entering into, assumption, offset,
44 assignment, termination, or transfer) of securities as defined in
45 section four hundred seventy-five (c)(2) of the Internal Revenue Code,
46 [or] (vi) principally used as a qualified film production facility
47 including qualified film production facilities having a situs in an
48 empire zone designated as such pursuant to article eighteen-B of the
49 general municipal law, where the taxpayer is providing three or more
50 services to any qualified film production company using the facility,
51 including such services as a studio lighting grid, lighting and grip
52 equipment, multi-line phone service, broadband information technology
53 access, industrial scale electrical capacity, food services, security
54 services, and heating, ventilation and air conditioning, OR (VII) PRIN-
55 CIPALLY USED IN THE ORDINARY COURSE OF ANY TRADE OR BUSINESS OF THE
56 TAXPAYER NOT OTHERWISE DESCRIBED IN CLAUSES (I) THROUGH (VI) OF THIS

1 SUBPARAGRAPH. For purposes of clauses (iv) and (v) of this subpara-
2 graph, property purchased by a taxpayer affiliated with a regulated
3 broker, dealer, or registered investment adviser is allowed a credit
4 under this subsection if the property is used by its affiliated regu-
5 lated broker, dealer or registered investment adviser in accordance with
6 this subsection. For purposes of determining if the property is princi-
7 pally used in qualifying uses, the uses by the taxpayer described in
8 clauses (iv) and (v) of this subparagraph may be aggregated. In addi-
9 tion, the uses by the taxpayer, its affiliated regulated broker, dealer
10 and registered investment adviser under either or both of those clauses
11 may be aggregated. Provided, however, a taxpayer shall not be allowed
12 the credit provided by clauses (iv) and (v) of this subparagraph unless
13 (I) eighty percent or more of the employees performing the administra-
14 tive and support functions resulting from or related to the qualifying
15 uses of such equipment are located in this state, or (II) the average
16 number of employees that perform the administrative and support func-
17 tions resulting from or related to the qualifying uses of such equipment
18 and are located in this state during the taxable year for which the
19 credit is claimed is equal to or greater than ninety-five percent of the
20 average number of employees that perform these functions and are located
21 in this state during the thirty-six months immediately preceding the
22 year for which the credit is claimed, or (III) the number of employees
23 located in this state during the taxable year for which the credit is
24 claimed is equal to or greater than ninety percent of the number of
25 employees located in this state on December thirty-first, nineteen
26 hundred ninety-eight or, if the taxpayer was not a calendar year taxpay-
27 er in nineteen hundred ninety-eight, the last day of its first taxable
28 year ending after December thirty-first, nineteen hundred ninety-eight.
29 If the taxpayer becomes subject to tax in this state after the taxable
30 year beginning in nineteen hundred ninety-eight, then the taxpayer is
31 not required to satisfy the employment test provided in the preceding
32 sentence of this subparagraph for its first taxable year. For the
33 purposes of clause (III) of this subparagraph the employment test will
34 be based on the number of employees located in this state on the last
35 day of the first taxable year the taxpayer is subject to tax in this
36 state. If the uses of the property must be aggregated to determine
37 whether the property is principally used in qualifying uses, then either
38 each affiliate using the property must satisfy this employment test or
39 this employment test must be satisfied through the aggregation of the
40 employees of the taxpayer, its affiliated regulated broker, dealer, and
41 registered investment adviser using the property. For purposes of this
42 subsection, the term "goods" shall not include electricity.
43 S 3. This act shall take effect immediately and apply to taxable years
44 ending on or after January 1, 2015.

PART B

46 Section 1. Subparagraph (vii) of paragraph (a) of subdivision 1 of
47 section 210 of the tax law, as amended by section 12 of part A of chap-
48 ter 59 of the laws of 2014, is amended to read as follows:
49 (vii) For a taxpayer that is defined as a qualified emerging technolo-
50 gy company under paragraph (c) of subdivision one of section thirty-one
51 hundred two-e of the public authorities law regardless of the ten
52 million dollar limitation expressed in subparagraph one of such para-
53 graph (c) the AMOUNT PRESCRIBED BY THIS PARAGRAPH SHALL BE COMPUTED AT
54 THE rate [at which the tax is computed in effect for taxable years

1 beginning on or after January first, two thousand thirteen and before
2 January first, two thousand fourteen for such qualified emerging tech-
3 nology companies shall be reduced by nine and two-tenths percent for
4 taxable years commencing on or after January first, two thousand four-
5 teen and before January first, two thousand fifteen, twelve and three-
6 tenths percent for taxable years commencing on or after January first,
7 two thousand fifteen and before January first, two thousand sixteen,
8 fifteen and four-tenths percent for taxable years commencing on or after
9 January first, two thousand sixteen and before January first, two thou-
10 sand eighteen, and twenty-five percent for taxable years beginning on or
11 after January first, two thousand eighteen] OF 5.7 PERCENT FOR TAXABLE
12 YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN AND
13 BEFORE JANUARY FIRST, TWO THOUSAND SIXTEEN, ZERO PERCENT FOR TAXABLE
14 YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND SIXTEEN. IN THE
15 CASE OF A COMBINED REPORT, EACH CORPORATION INCLUDED IN THE COMBINED
16 REPORT MUST QUALIFY AS A QUALIFIED EMERGING TECHNOLOGY COMPANY IN ORDER
17 FOR THE TAX RATES PROVIDED BY THIS SUBPARAGRAPH TO APPLY.
18 S 2. This act shall take effect immediately.

19 PART C

20 Section 1. The general municipal law is amended by adding a new
21 section 959-c to read as follows:

22 S 959-C. CERTIFIED STARTUP BUSINESS ENTERPRISE. (A) CERTIFICATION. (I)
23 THE COMMISSIONER SHALL APPROVE APPLICATIONS FOR QUALIFICATION OF A BUSI-
24 NESS ENTERPRISE AS A CERTIFIED STARTUP BUSINESS ENTERPRISE. AS A CONDI-
25 TION FOR APPROVAL OF SUCH APPLICATION, THE COMMISSIONER IS AUTHORIZED TO
26 SPECIFY CERTAIN REQUIREMENTS TO BE SATISFIED AS A CONDITION FOR APPROVAL
27 OF A BUSINESS ENTERPRISE AS A CERTIFIED STARTUP BUSINESS ENTERPRISE AS
28 THE COMMISSIONER DEEMS NECESSARY TO ENSURE THE QUALIFYING ANGEL INVEST-
29 MENT WILL MAKE A SUBSTANTIAL CONTRIBUTION TO THE ECONOMIC DEVELOPMENT OF
30 THIS STATE, INCLUDING THE USE OF A SYSTEM OF EVALUATION OF VARIOUS
31 APPLICANT BUSINESS ENTERPRISES IN A COMPETITIVE FASHION.

32 (II) WITH RESPECT TO AN APPROVED APPLICATION FOR QUALIFICATION OF A
33 BUSINESS ENTERPRISE AS A CERTIFIED STARTUP BUSINESS ENTERPRISE, THE
34 COMMISSIONER SHALL ISSUE TO SUCH BUSINESS ENTERPRISE A CERTIFICATE OF
35 QUALIFICATION AS A CERTIFIED STARTUP BUSINESS ENTERPRISE SETTING FORTH
36 THE EFFECTIVE DATE OF THE CERTIFICATION AND THE AMOUNT OF QUALIFYING
37 ANGEL INVESTMENT AWARDED TO SUCH BUSINESS ENTERPRISE, WHICH AMOUNT SHALL
38 BE NO LESS THAN ONE HUNDRED THOUSAND DOLLARS AND NO MORE THAN TWO
39 MILLION DOLLARS.

40 (III) FOR THE PERIOD JULY FIRST, TWO THOUSAND FIFTEEN THROUGH JUNE
41 THIRTIETH, TWO THOUSAND SIXTEEN, THE COMMISSIONER MAY CERTIFY UP TO
42 TWENTY MILLION DOLLARS IN QUALIFYING ANGEL INVESTMENT. FOR THE PERIOD
43 JULY FIRST, TWO THOUSAND SIXTEEN THROUGH JUNE THIRTIETH, TWO THOUSAND
44 SEVENTEEN, THE COMMISSIONER MAY CERTIFY UP TO TWENTY MILLION DOLLARS IN
45 QUALIFYING ANGEL INVESTMENT. FOR THE PERIOD JULY FIRST, TWO THOUSAND
46 SEVENTEEN THROUGH JUNE THIRTIETH, TWO THOUSAND EIGHTEEN, THE COMMISSION-
47 ER MAY CERTIFY UP TO TWENTY MILLION DOLLARS IN QUALIFYING ANGEL INVEST-
48 MENT.

49 (B) DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL
50 HAVE THE FOLLOWING MEANINGS:

51 (I) "CERTIFIED STARTUP BUSINESS ENTERPRISE" SHALL MEAN A BUSINESS
52 ENTERPRISE LOCATED IN NEW YORK STATE:

53 (1) WITH LESS THAN FIVE MILLION DOLLARS IN ANNUAL REVENUES;

(2) WHOSE PRIMARY ACTIVITY CONSISTS OF A QUALIFYING TECHNOLOGY OR INNOVATION ACTIVITY; AND

(3) THAT HAS BEEN CERTIFIED AS A CERTIFIED STARTUP BUSINESS ENTERPRISE BY THE COMMISSIONER.

(II) "QUALIFYING TECHNOLOGY OR INNOVATION ACTIVITY" SHALL MEAN:

(1) BIOTECHNOLOGIES, WHICH SHALL BE DEFINED AS TECHNOLOGIES INVOLVING THE SCIENTIFIC MANIPULATION OF LIVING ORGANISMS, ESPECIALLY AT THE MOLECULAR AND/OR THE SUB-MOLECULAR GENETIC LEVEL, TO PRODUCE PRODUCTS CONDUCIVE TO IMPROVING THE LIVES AND HEALTH OF PLANTS, ANIMALS, AND HUMANS; AND THE ASSOCIATED SCIENTIFIC RESEARCH, PHARMACOLOGICAL, MECHANICAL, AND COMPUTATIONAL APPLICATIONS AND SERVICES CONNECTED WITH THESE IMPROVEMENTS;

(2) INFORMATION AND COMMUNICATION TECHNOLOGIES, EQUIPMENT AND SYSTEMS THAT INVOLVE ADVANCED COMPUTER SOFTWARE AND HARDWARE, VISUALIZATION TECHNOLOGIES, AND HUMAN INTERFACE TECHNOLOGIES;

(3) ADVANCED MATERIALS AND PROCESSING TECHNOLOGIES THAT INVOLVE THE DEVELOPMENT, MODIFICATION, OR IMPROVEMENT OF ONE OR MORE MATERIALS OR METHODS TO PRODUCE DEVICES AND STRUCTURES WITH IMPROVED PERFORMANCE CHARACTERISTICS OR SPECIAL FUNCTIONAL ATTRIBUTES, OR TO ACTIVATE, SPEED UP, OR OTHERWISE ALTER CHEMICAL, BIOCHEMICAL, OR MEDICAL PROCESSES;

(4) ELECTRONIC AND PHOTONIC DEVICES AND COMPONENTS FOR USE IN PRODUCING ELECTRONIC, OPTOELECTRONIC, MECHANICAL EQUIPMENT AND PRODUCTS OF ELECTRONIC DISTRIBUTION WITH INTERACTIVE MEDIA CONTENT;

(5) ENERGY EFFICIENCY, RENEWABLE ENERGY AND ENVIRONMENTAL TECHNOLOGIES, PRODUCTS, DEVICES AND SERVICES;

(6) SMALL SCALE SYSTEMS INTEGRATION AND PACKAGING; OR

(7) MANUFACTURING;

(III) "QUALIFYING ANGEL INVESTMENT" SHALL MEAN A CONTRIBUTION TO THE CAPITAL OF A CERTIFIED STARTUP BUSINESS ENTERPRISE, PROVIDED THAT SUCH CONTRIBUTION TO CAPITAL IS MADE WITHIN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THE CERTIFIED TECHNOLOGY VENTURE'S CERTIFICATE OF QUALIFICATION AS A CERTIFIED TECHNOLOGY VENTURE AND SUCH CONTRIBUTION IS APPLIED BY THE CERTIFIED STARTUP BUSINESS ENTERPRISE AGAINST ITS ALLOCATION OF QUALIFYING ANGEL INVESTMENT. TOGETHER WITH ALL OTHER QUALIFYING ANGEL INVESTMENTS MADE TO A SINGLE CERTIFIED STARTUP BUSINESS ENTERPRISE, THE TOTAL QUALIFYING ANGEL INVESTMENT MAY NOT EXCEED TWO MILLION DOLLARS. NOTHING HEREIN SHALL PROHIBIT A PERSON MAKING A QUALIFYING ANGEL INVESTMENT FROM MAKING ADDITIONAL CONTRIBUTIONS TO THE CAPITAL OF THE CERTIFIED STARTUP BUSINESS ENTERPRISE OR MAKING LOANS TO OR OTHER INVESTMENTS IN THE CERTIFIED STARTUP BUSINESS ENTERPRISE, PROVIDED, HOWEVER, THAT SUCH OTHER CONTRIBUTIONS, LOANS AND INVESTMENTS SHALL NOT BE TREATED AS QUALIFYING ANGEL INVESTMENTS.

S 2. Section 210-B of the tax law is amended by adding a new subdivision 49 to read as follows:

49. ANGEL TAX CREDIT. (A) ALLOWANCE OF CREDIT. A TAXPAYER THAT HAS MADE A QUALIFYING ANGEL INVESTMENT, AS SUCH TERM IS DEFINED IN PARAGRAPH (III) OF SUBDIVISION (B) OF SECTION NINE HUNDRED FIFTY-NINE-C OF THE GENERAL MUNICIPAL LAW, SHALL BE ALLOWED A CREDIT EQUAL TO FIFTY PERCENT OF THE AMOUNT OF SUCH QUALIFYING ANGEL INVESTMENT.

(B) APPLICATION OF CREDIT. THE CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR SHALL NOT REDUCE THE TAX DUE FOR SUCH YEAR TO LESS THAN THE AMOUNT PRESCRIBED IN PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION TWO HUNDRED TEN OF THIS ARTICLE. HOWEVER, IF THE AMOUNT OF CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR REDUCES THE TAX TO SUCH AMOUNT, ANY AMOUNT OF CREDIT THUS NOT DEDUCTIBLE IN SUCH TAXABLE YEAR SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR

REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION ONE THOUSAND EIGHTY-SIX OF THIS CHAPTER. PROVIDED, HOWEVER, THE PROVISIONS OF SUBSECTION (C) OF SECTION ONE THOUSAND EIGHTY-EIGHT OF THIS CHAPTER NOTWITHSTANDING, NO INTEREST SHALL BE PAID THEREON.

S 3. Section 606 of the tax law is amended by adding a new subsection (ccc) to read as follows:

(CCC) ANGEL TAX CREDIT. (1) ALLOWANCE OF CREDIT. A TAXPAYER THAT HAS MADE A QUALIFYING ANGEL INVESTMENT, AS SUCH TERM IS DEFINED IN PARAGRAPH (III) OF SUBDIVISION (B) OF SECTION NINE HUNDRED FIFTY-NINE-C OF THE GENERAL MUNICIPAL LAW, OR THAT IS A MEMBER OF A PARTNERSHIP THAT HAS MADE A QUALIFYING ANGEL INVESTMENT, SHALL BE ALLOWED A CREDIT EQUAL TO FIFTY PERCENT OF THE AMOUNT OF SUCH QUALIFYING ANGEL INVESTMENT OR, IN THE CASE OF A TAXPAYER WHO IS A MEMBER OF A PARTNERSHIP THAT HAS MADE A QUALIFYING ANGEL INVESTMENT, A PORTION OF SUCH QUALIFYING ANGEL INVESTMENT EQUAL TO THE PORTION OF ITEMS OF INCOME, GAIN, LOSS AND DEDUCTION ASSOCIATED WITH THE QUALIFYING ANGEL INVESTMENT PROPERLY ALLOCABLE TO SUCH TAXPAYER UNDER SECTION 704 OF THE INTERNAL REVENUE CODE FOR THE TAXABLE YEAR.

(2) APPLICATION OF CREDIT. IF THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SUBSECTION FOR ANY TAXABLE YEAR SHALL EXCEED THE TAXPAYER'S TAX FOR SUCH YEAR, THE EXCESS SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION SIX HUNDRED EIGHTY-SIX OF THIS ARTICLE, PROVIDED, HOWEVER, THAT NO INTEREST SHALL BE PAID THEREON.

S 4. Section 1511 of the tax law is amended by adding a new subdivision (dd) to read as follows:

(DD) ANGEL TAX CREDIT. (1) ALLOWANCE OF CREDIT. A TAXPAYER THAT HAS MADE A QUALIFYING ANGEL INVESTMENT, AS SUCH TERM IS DEFINED IN PARAGRAPH (III) OF SUBDIVISION (B) OF SECTION NINE HUNDRED FIFTY-NINE-C OF THE GENERAL MUNICIPAL LAW, SHALL BE ALLOWED A CREDIT EQUAL TO FIFTY PERCENT OF THE AMOUNT OF SUCH QUALIFYING ANGEL INVESTMENT.

(2) APPLICATION OF CREDIT. THE CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR SHALL NOT REDUCE THE TAX DUE FOR SUCH YEAR TO LESS THAN THE MINIMUM TAX FIXED BY PARAGRAPH FOUR OF SUBDIVISION (A) OF SECTION FIFTEEN HUNDRED TWO OF THIS ARTICLE OR BY SECTION FIFTEEN HUNDRED TWO-A OF THIS ARTICLE, WHICHEVER IS APPLICABLE. HOWEVER, IF THE AMOUNT OF CREDIT ALLOWED UNDER THIS SUBDIVISION FOR ANY TAXABLE YEAR REDUCES THE TAX TO SUCH AMOUNT, THEN ANY AMOUNT OF CREDIT THUS NOT DEDUCTIBLE IN SUCH TAXABLE YEAR SHALL BE TREATED AS AN OVERPAYMENT OF TAX TO BE CREDITED OR REFUNDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION ONE THOUSAND EIGHTY-SIX OF THIS CHAPTER. PROVIDED, HOWEVER, THE PROVISIONS OF SUBSECTION (C) OF SECTION ONE THOUSAND EIGHTY-EIGHT OF THIS CHAPTER NOTWITHSTANDING, NO INTEREST SHALL BE PAID THEREON.

S 5. This act shall take effect immediately and apply to taxable years after January 1, 2015.

S 2. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

S 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through C of this act shall be as specifically set forth in the last section of such Parts.