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

7487

I N S E N A T E

May 5, 2016

Introduced by Sen. PERKINS -- 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 modifications reducing federal adjusted gross income

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

Section 1. Subsection (c) of section 612 of the tax law is amended by adding a new paragraph 44 to read as follows:

44. (A) AN AMOUNT EQUAL TO THE INTEREST PAID BY THE TAXPAYER DURING THE TAXABLE YEAR ON ANY QUALIFIED EDUCATION LOAN TO THE EXTENT SUCH INTEREST IS DEDUCTIBLE IN ACCORDANCE WITH 26 U.S.C S 221 FOR FEDERAL TAX PURPOSES; AND (B) AN AMOUNT EQUAL TO THE AMOUNT OF INTEREST PAYMENTS PAID BY THE TAXPAYER ON EDUCATION DEBT DURING THE TAXABLE YEAR. FOR THE PURPOSES OF SUBPARAGRAPH (B), THE TERM "EDUCATIONAL DEBT" SHALL MEAN ANY LOAN WHICH WAS OR IS ADMINISTERED BY THE FINANCIAL AID OFFICE OF A TWO-YEAR OR FOUR-YEAR COLLEGE AT WHICH THE TAXPAYER, OR A DEPENDENT OF SUCH TAXPAYER, WAS ENROLLED AS AN UNDERGRADUATE STUDENT AND WHICH LOAN HAS BEEN SECURED THROUGH A STATE STUDENT LOAN PROGRAM, A FEDERAL STUDENT LOAN PROGRAM OR A COMMERCIAL LENDER AND WHICH LOAN WAS OBTAINED AND EXPENDED SOLELY FOR THE PURPOSES OF PAYING TUITION AND OTHER EXPENSES DIRECTLY RELATED TO SUCH UNDERGRADUATE STUDENT ENROLLMENT. A TAXPAYER SHALL NOT BE ELIGIBLE FOR A DEDUCTION FOR THE SAME EXPENSES UNDER SUBPARAGRAPH (A) AND SUBPARAGRAPH (B) OF THIS PARAGRAPH.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1st of the calendar year in which it takes effect, and shall apply to the tax year commencing on and after such date.

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

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