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

1660

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sen. CARLUCCI -- 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 establishing a personal income tax credit for tolls paid by a taxpayer in the course of commuting to and from his or her place of employment

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

Section 1. Section 606 of the tax law is amended by adding a new subsection (ccc) to read as follows:

(CCC) COMMUTER TOLLS CREDIT. (1) GENERAL. EACH INDIVIDUAL QUALIFIED TAXPAYER SHALL BE ALLOWED A CREDIT NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS DURING ANY TAXABLE YEAR, TO BE COMPUTED AS PROVIDED IN THIS SUBSECTION, AGAINST THE TAX IMPOSED BY THIS ARTICLE FOR QUALIFIED TOLLS PAID DURING SUCH TAXABLE YEAR.

(2) DEFINITIONS. (A) THE TERM "QUALIFIED TAXPAYER" MEANS A RESIDENT TAXPAYER WHO COMMUTES TO AND FROM HIS OR HER PLACE OF EMPLOYMENT AND WHO DURING THE COURSE OF SUCH COMMUTING PAYS QUALIFIED TOLLS NOT LESS THAN THREE TIMES EACH WEEK FOR NOT LESS THAN FORTY-FIVE WEEKS DURING THE TAXABLE YEAR.

(B) THE TERM "QUALIFIED TOLLS" MEANS TOLLS AND FEES IMPOSED FOR USE OF A PUBLIC HIGHWAY OR BRIDGE WITHIN THE STATE, OR TOLLS AND FEES IMPOSED BY A PUBLIC AUTHORITY, ESTABLISHED BY THE LAWS OF THIS STATE, FOR THE USE OF A PUBLIC HIGHWAY OR BRIDGE; AND SUCH TOLLS OR FEES WERE PAID WHILE A QUALIFIED TAXPAYER WAS IN THE COURSE OF COMMUTING TO AND FROM HIS OR HER PLACE OF EMPLOYMENT.

(3) AMOUNT OF CREDIT. THE AMOUNT OF THE CREDIT PURSUANT TO THIS SUBSECTION SHALL BE THE FIRST TWO HUNDRED FIFTY DOLLARS OF QUALIFIED TOLLS PAID BY AN INDIVIDUAL QUALIFIED TAXPAYER DURING THE TAXABLE YEAR, EXCEPT IN THE CASE WHERE TWO QUALIFIED TAXPAYERS FILE JOINTLY, THE AMOUNT OF SUCH CREDIT SHALL BE THE FIRST FIVE HUNDRED DOLLARS OF THE

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

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QUALIFIED TOLLS PAID BY SUCH QUALIFIED TAXPAYERS DURING THE TAXABLE YEAR AS COMPUTED BY ADDING THE TAX CREDITS EACH WOULD BE ALLOWED PURSUANT TO THIS SUBSECTION IF THEY EACH FILED INDIVIDUALLY.

S 2. This act shall take effect immediately and shall apply to the taxable year in which it takes effect and taxable years commencing thereafter.