

7158

I N S E N A T E

April 1, 2016

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the tax law, in relation to the farm workforce retention credit

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

1 Section 1. Section 42 of the tax law, as added by section 1 of part RR  
2 of a chapter of the laws of 2016, amending the tax law relating to  
3 creating the farm workforce retention credit, as proposed in legislative  
4 bill numbers S. 6409-C and A. 9009-C, is amended by adding a new subdi-  
5 vision (e-1) to read as follows:

6 (E-1) FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOU-  
7 SAND SEVENTEEN AND BEFORE JANUARY FIRST, TWO THOUSAND EIGHTEEN, IF SUCH  
8 FARM IS LOCATED IN NASSAU OR SUFFOLK COUNTY, THE AMOUNT OF THE CREDIT  
9 ALLOWED UNDER THIS SECTION SHALL BE EQUAL TO THE PRODUCT OF THE TOTAL  
10 NUMBER OF ELIGIBLE FARM EMPLOYEES AND FIVE HUNDRED DOLLARS. FOR TAXABLE  
11 YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND EIGHTEEN AND  
12 BEFORE JANUARY FIRST, TWO THOUSAND NINETEEN, IF SUCH FARM IS LOCATED IN  
13 NASSAU OR SUFFOLK COUNTY, THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS  
14 SECTION SHALL BE EQUAL TO THE PRODUCT OF THE TOTAL NUMBER OF ELIGIBLE  
15 FARM EMPLOYEES AND SIX HUNDRED DOLLARS. FOR TAXABLE YEARS BEGINNING ON  
16 OR AFTER JANUARY FIRST, TWO THOUSAND NINETEEN AND BEFORE JANUARY FIRST,  
17 TWO THOUSAND TWENTY, IF SUCH FARM IS LOCATED IN NASSAU OR SUFFOLK COUN-  
18 TY, THE AMOUNT OF THE CREDIT ALLOWED UNDER THIS SECTION SHALL BE EQUAL  
19 TO THE PRODUCT OF THE TOTAL NUMBER OF ELIGIBLE FARM EMPLOYEES AND EIGHT  
20 HUNDRED DOLLARS. FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY FIRST,  
21 TWO THOUSAND TWENTY AND BEFORE JANUARY FIRST, TWO THOUSAND TWENTY-ONE,  
22 IF SUCH FARM IS LOCATED IN NASSAU OR SUFFOLK COUNTY, THE AMOUNT OF THE  
23 CREDIT ALLOWED UNDER THIS SECTION SHALL BE EQUAL TO THE PRODUCT OF THE  
24 TOTAL NUMBER OF ELIGIBLE FARM EMPLOYEES AND ONE THOUSAND DOLLARS. FOR  
25 TAXABLE YEARS BEGINNING ON OR AFTER JANUARY FIRST, TWO THOUSAND TWENTY-  
26 ONE AND BEFORE JANUARY FIRST, TWO THOUSAND TWENTY-TWO, THE AMOUNT OF THE  
27 CREDIT ALLOWED UNDER THIS SECTION SHALL BE EQUAL TO THE PRODUCT OF THE

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

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1 TOTAL NUMBER OF ELIGIBLE FARM EMPLOYEES AND ONE THOUSAND TWO HUNDRED  
2 DOLLARS.

3 S 2. Subdivision (e) of section 42 of the tax law, as added by section  
4 1 of part RR of a chapter of the laws of 2016, amending the tax law  
5 relating to creating the farm workforce retention credit, as proposed in  
6 legislative bill numbers S. 6409-C and A. 9009-C, is amended to read as  
7 follows:

8 (e) For taxable years beginning on or after January first, two thou-  
9 sand seventeen and before January first, two thousand eighteen, the  
10 amount of the credit allowed under this section shall be equal to the  
11 product of the total number of eligible farm employees and two hundred  
12 fifty dollars. For taxable years beginning on or after January first,  
13 two thousand eighteen and before January first, two thousand nineteen,  
14 the amount of the credit allowed under this section shall be equal to  
15 the product of the total number of eligible farm employees and three  
16 hundred dollars. For taxable years beginning on or after January first,  
17 two thousand nineteen and before January first, two thousand twenty,  
18 the amount of the credit allowed under this section shall be equal to the  
19 product of the total number of eligible farm employees and [five] FOUR  
20 hundred dollars. For taxable years beginning on or after January first,  
21 two thousand twenty and before January first, two thousand twenty-one,  
22 the amount of the credit allowed under this section shall be equal to  
23 the product of the total number of eligible farm employees and [four]  
24 FIVE hundred dollars. For taxable years beginning on or after January  
25 first, two thousand twenty-one and before January first, two thousand  
26 twenty-two, the amount of the credit allowed under this section shall be  
27 equal to the product of the total number of eligible farm employees and  
28 six hundred dollars.

29 S 3. This act shall take effect on the same date and in the same  
30 manner as section 1 of part RR of a chapter of the laws of 2016, amend-  
31 ing tax law relating to creating the farm workforce retention credit, as  
32 proposed in legislative bill numbers S. 6409-C and A. 9009-C, takes  
33 effect.