STATE OF NEW YORK

9061--A

IN ASSEMBLY

January 18, 2018

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to federal income tax terms and their applicability to state tax law; in relation to the New York standard deduction of certain resident individuals; and in relation to the New York itemized deduction

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subsection (a) of section 607 of the tax law, as amended by chapter 28 of the laws of 1987, is amended to read as follows:

(a) General. Any term used in this article shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required but such meaning shall be subject to the exceptions or modifications prescribed in this article or by statute. Any reference in this article to the laws of the United States shall mean the provisions of the internal revenue code of nineteen hundred eighty-six (unless a reference to the internal revenue code of nineteen hundred fifty-four is clearly intended), and amendments thereto[~~, and other provisions of the laws of the United States relating to federal income taxes, as the same may be or become effective at any time or from time to time for the taxable year~~] **made prior to December 1, 2017**.

§ 2. Subsection (a) of section 614 of the tax law, as amended by chapter 170 of the laws of 1994, is amended to read as follows:

(a) Unmarried individual. For taxable years beginning after nineteen hundred ninety-six, the New York standard deduction of a resident individual who is not married nor the head of a household nor a surviving spouse nor an individual [~~whose federal exemption amount is zero~~] **who is claimed as a dependent by another New York state taxpayer** shall be seven thousand five hundred dollars; for taxable years beginning in nineteen hundred ninety-six, such standard deduction shall be seven thousand four hundred dollars; for taxable years beginning in nineteen hundred ninety-five, such standard deduction shall be six thousand six hundred

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

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dollars; and for taxable years beginning after nineteen hundred eighty-nine and before nineteen hundred ninety-five, such standard deduction shall be six thousand dollars.

§ 3. Subsection (a) of section 615 of the tax law, as amended by section 1 of part HH of chapter 57 of the laws of 2010, is amended to read as follows:

(a) General. [~~If federal taxable income of a~~] **A** resident individual [~~is determined by itemizing deductions from his federal adjusted gross income, he~~] may elect to deduct his New York itemized deduction in lieu of his New York standard deduction. The New York itemized deduction of a resident individual means the total amount of his deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the laws of the United States for the taxable year, with the modifications specified in this section, except as provided for under subsections (f) and (g) of this section.

§ 4. This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2018.