

# STATE OF NEW YORK

6974--A

2017-2018 Regular Sessions

## IN SENATE

December 21, 2017

Introduced by Sens. FELDER, GALLIVAN, GOLDEN, JACOBS, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- 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:

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

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

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

17 (a) Unmarried individual. For taxable years beginning after nineteen  
18 hundred ninety-six, the New York standard deduction of a resident indi-  
19 vidual who is not married nor the head of a household nor a surviving

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

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1 spouse nor an individual [~~whose federal exemption amount is zero~~] who is  
2 claimed as a dependent by another New York state taxpayer shall be seven  
3 thousand five hundred dollars; for taxable years beginning in nineteen  
4 hundred ninety-six, such standard deduction shall be seven thousand four  
5 hundred dollars; for taxable years beginning in nineteen hundred nine-  
6 ty-five, such standard deduction shall be six thousand six hundred  
7 dollars; and for taxable years beginning after nineteen hundred eighty-  
8 nine and before nineteen hundred ninety-five, such standard deduction  
9 shall be six thousand dollars.

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

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

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