

# STATE OF NEW YORK

10024

## IN ASSEMBLY

March 7, 2018

Introduced by M. of A. FAHY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to establishing a reduction of certain taxpayer's federal adjusted gross income, for state personal income tax purposes, for student loan interest payments made by the taxpayer

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

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

3 (44)(A) (i) For a taxpayer who files singly or as the head of a house-  
4 hold with a federal adjusted income, without the deduction of any inter-  
5 est paid on student loans, of not less than sixty-five thousand dollars  
6 nor more than eighty thousand dollars, the difference between the inter-  
7 est paid on student loans by the taxpayer, is an amount not to exceed  
8 two thousand five hundred dollars, and the amount of such interest  
9 deducted by such taxpayer to calculate his or her federal adjusted gross  
10 income; and

11 (ii) For a taxpayer who files singly or as the head of a household  
12 with a federal adjusted gross income of not less than eighty thousand  
13 dollars, nor more than one hundred twenty-five thousand dollars, inter-  
14 est, in an amount not to exceed two thousand five hundred dollars, paid  
15 on indebtedness incurred from a student loan; and

16 (iii) For married taxpayers filing jointly with a federal adjusted  
17 gross income, without the deduction of any interest paid on student  
18 loans, of not less than one hundred thirty thousand dollars, nor more  
19 than one hundred sixty thousand dollars, the difference between the  
20 interest paid on student loans by the taxpayers, is an amount not to  
21 exceed two thousand five hundred dollars, and the amount of such inter-  
22 est deducted by such taxpayers to calculate their federal adjusted gross  
23 income; and

24 (iv) For married taxpayers filing jointly with a federal adjusted  
25 gross income of not less than one hundred sixty thousand dollars, nor  
26 more than two hundred fifty thousand dollars, interest, in an amount not

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

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1 to exceed two thousand five hundred dollars, paid on indebtedness  
2 incurred from a student loan.

3 (B) For the purposes of this paragraph, "student loan" shall have the  
4 same meaning as ascribed to such term by subparagraph (B) of paragraph  
5 forty-two of this subsection, as added by chapter four hundred fifty-six  
6 of the laws of two thousand seventeen.

7 § 2. This act shall take effect immediately, and shall apply to the  
8 taxable year in which it shall take effect and to all subsequent taxable  
9 years.