

# STATE OF NEW YORK

6264--A

2017-2018 Regular Sessions

## IN ASSEMBLY

March 1, 2017

Introduced by M. of A. HIKIND, ORTIZ, SEPULVEDA, M. G. MILLER, GJONAJ, HARRIS, COLTON, HOOPER, DICKENS, RIVERA, COOK, SIMANOWITZ, McDONOUGH, MOSLEY, BLAKE, RAIA, CRESPO -- Multi-Sponsored by -- M. of A. ABBATE, RA -- 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 establishment of a credit for the purchase and installation of a security camera system on residential-, commercial- and non-profit owned properties in cities having a population of one million or more persons

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

1 Section 1. The tax law is amended by adding a new section 43 to read  
2 as follows:

3 § 43. Credit for purchase and installation of a security camera system  
4 on property located in a city having a population of one million or more  
5 persons. (a) Allowance of credit. A property owner who is subject to  
6 tax under articles nine, nine-A, twenty-two, thirty-two or thirty-three  
7 of this chapter, shall be allowed a one-time credit against such tax for  
8 the purchase and installation of a qualified security camera system on a  
9 property located in a city having a population of one million or more  
10 persons. The amount of such credit shall be five hundred dollars. The  
11 credit shall be allowable for owners of residential or commercial prop-  
12 erties and for property owners incorporated pursuant to the terms of the  
13 not-for-profit corporation law. A property owner claiming a credit  
14 against tax as provided in this section may claim it against tax owed  
15 under only one article of this chapter.

16 (b) Definitions. The term "qualified security camera system" means  
17 expenditures for the purchase of a camera system, materials and labor  
18 costs properly allocable to on-site preparation, assembly and original

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

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1 installation. Such camera system shall be capable of recording and stor-  
2 ing camera footage for up to forty-eight hours.

3 (c) When credit allowed. The credit provided for herein shall be  
4 allowed with respect to the taxable year commencing in which the securi-  
5 ty camera system is installed.

6 (d) Carryover of credit. If the amount of the credit, and carryovers  
7 of such credit, allowable under this subsection for any taxable year  
8 shall exceed the taxpayer's tax for such year, such excess amount may be  
9 carried over to the five taxable years next following the taxable year  
10 with respect to which the credit is allowed and may be deducted from the  
11 taxpayer's tax for such year or years.

12 § 2. Section 606 of the tax law is amended by adding a new subsection  
13 (v) to read as follows:

14 (v) Credit for purchase and installation of a security camera system  
15 on residential property located in a city having a population of one  
16 million or more persons. (1) Allowance of credit. A taxpayer who is a  
17 homeowner shall be allowed a one-time credit for purchase and installa-  
18 tion of a security camera system on a residential property owned by such  
19 taxpayer and located in a city having a population of one million or  
20 more persons, to be computed as provided in section forty-three of this  
21 chapter, against the tax imposed by this article.

22 (2) Carryover of credit. If the amount of the credit, and carryovers  
23 of such credit, allowable under this subsection for any taxable year  
24 shall exceed the taxpayer's tax for such year, such excess amount may be  
25 carried over to the five taxable years next following the taxable year  
26 with respect to which the credit is allowed and may be deducted from the  
27 taxpayer's tax for such year or years.

28 § 3. The tax law is amended by adding a new section 187-t to read as  
29 follows:

30 § 187-t. Credit for purchase and installation of a security camera  
31 system on property located in a city having a population of one million  
32 or more persons. 1. Allowance of credit. A taxpayer shall be allowed a  
33 credit, to be computed as provided in section forty-three this chapter,  
34 against the taxes imposed by sections one hundred eighty-three, one  
35 hundred eighty-four and one hundred eighty-five of this article.  
36 Provided, however, that the amount of such credit allowable against the  
37 tax imposed by section one hundred eighty-four of this article shall be  
38 the excess of the amount of such credit over the amount of any credit  
39 allowed by this section against the tax imposed by section one hundred  
40 eighty-three of this article.

41 2. Application of credit. In no event shall the credit under this  
42 section be allowed in an amount which will reduce the tax payable to  
43 less than the applicable minimum tax fixed by section one hundred eight-  
44 y-three or one hundred eighty-five of this article. If, however, the  
45 amount of credit allowable under this section for any taxable year  
46 reduces the tax to such amount, any amount of credit not deductible in  
47 such taxable year shall be treated as an overpayment of tax to be  
48 refunded in accordance with the provisions of section one thousand  
49 eighty-six of this chapter. Provided, however, the provisions of  
50 subsection (c) of section one thousand eighty-eight of this chapter  
51 notwithstanding, no interest shall be paid thereon.

52 § 4. Section 210-B of the tax law is amended by adding a new subdivi-  
53 sion 52 to read as follows:

54 52. Credit for purchase and installation of a security camera system  
55 on property located in a city having a population of one million or more  
56 persons. (a) Allowance of credit. A taxpayer shall be allowed a credit,

1 to be computed as provided in subdivision (a) of section forty-three of  
2 this chapter, against the tax imposed by this article.

3 (b) Application of credit. In no event shall the credit under this  
4 section be allowed in an amount which will reduce the tax to less than  
5 the amount prescribed in paragraph (d) of subdivision one of this  
6 section. If, however, the amount of credit allowed under this section  
7 for any taxable year reduces the tax to such amount, any amount of cred-  
8 it not deductible in such taxable year shall be treated as an overpay-  
9 ment of tax to be refunded in accordance with the provisions of section  
10 one thousand eighty-six of this chapter, provided however, that no  
11 interest shall be paid thereon.

12 § 5. Subparagraph (B) of paragraph 1 of subsection (i) of section 606  
13 of the tax law is amended by adding a new clause (xliii) to read as  
14 follows:

15 <u>(xliii) credit for purchase</u>	<u>Amount of credit under</u>
16 <u>and tax installation of a</u>	<u>section forty-three</u>
17 <u>security camera system under</u>	
18 <u>subsection (v)</u>	

19 § 6. Section 1511 of the tax law is amended by adding a new subdivi-  
20 sion (dd) to read as follows:

21 (dd) Credit for purchase and installation of a security camera system  
22 on property located in a city having a population of one million or more  
23 persons. (1) Allowance of credit. A taxpayer shall be allowed a credit,  
24 to be computed as provided in section forty-three of this chapter,  
25 against the taxes imposed by this article.

26 (2) Application of credit. The credit allowed under this subdivision  
27 for any taxable year shall not reduce the tax due for such year to less  
28 than the minimum fixed by paragraph four of subdivision (a) of section  
29 fifteen hundred two of this article. However, if the amount of credits  
30 allowed under this subdivision for any taxable year reduces the tax to  
31 such amount, any amount of credit thus not deductible in such taxable  
32 year shall be treated as an overpayment of tax to be credited or  
33 refunded in accordance with the provisions of section one thousand  
34 eighty-six of this chapter. Provided, however, the provisions of  
35 subsection (c) of section one thousand eighty-eight of this chapter  
36 notwithstanding, no interest shall be paid thereon.

37 § 7. This act shall take effect January 1, 2018; provided, however, if  
38 this act shall become a law after such date it shall take effect imme-  
39 diately and shall be deemed to have been in full force and effect on and  
40 after January 1, 2018.