

# STATE OF NEW YORK

9706

## IN ASSEMBLY

February 2, 2018

Introduced by M. of A. B. MILLER, MORINELLO, CROUCH, RAIA, HAWLEY,  
NORRIS, ERRIGO, MONTESANO -- Multi-Sponsored by -- M. of A. CASTORINA,  
CURRAN, D. ROSENTHAL -- read once and referred to the Committee on  
Real Property Taxation

AN ACT to amend the real property tax law, in relation to an employer  
sponsored retirement plan

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

1 Section 1. Subparagraph (ii) of paragraph (b) of subdivision 4 of  
2 section 425 of the real property tax law, as amended by section 3 of  
3 part E of chapter 83 of the laws of 2002, is amended to read as follows:  
4 (ii) The term "income" as used herein shall mean the "adjusted gross  
5 income" for federal income tax purposes as reported on the applicant's  
6 federal or state income tax return for the applicable income tax year,  
7 subject to any subsequent amendments or revisions, reduced by distrib-  
8 utions, to the extent included in federal adjusted gross income,  
9 received from an individual retirement account [~~and~~], an individual  
10 retirement annuity and an employer sponsored retirement plan; provided  
11 that if no such return was filed for the applicable income tax year,  
12 "income" shall mean the adjusted gross income that would have been so  
13 reported if such a return had been filed.  
14 § 2. This act shall take effect immediately.

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

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