STATE OF NEW YORK

9029

IN SENATE

June 14, 2018

Introduced by Sens. PHILLIPS, JACOBS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the tax law and the administrative code of the city of New York, in relation to total net income for purposes of taxation of business corporations

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

Section 1. Subparagraph 11 of paragraph (a) of subdivision 9 of section 208 of the tax law, as amended by section 4 of part A of chapter 59 of the laws of 2014, is amended to read as follows:

(11) the amount deductible pursuant to [~~paragraph~~] **paragraphs** (j) **and (u)** of this subdivision; [~~and~~]

§ 2. Subdivision 9 of section 208 of the tax law is amended by adding a new paragraph (u) to read as follows:

(u) A taxpayer shall be allowed a deduction in computing entire net income for any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction under subsection (r) of section 162 of the internal revenue code.

§ 3. Subparagraph 10 of paragraph (a) of subdivision 8 of section 11-652 of the administrative code of the city of New York, as added by section 1 of part D of chapter 60 of the laws of 2015, is amended to read as follows:

(10) the amount deductible pursuant to [~~paragraph~~] **paragraphs** (j) **and (u)** of this subdivision;

§ 4. Subdivision 8 of section 11-652 of the administrative code of the city of New York is amended by adding a new paragraph (u) to read as follows:

(u) A taxpayer shall be allowed a deduction in computing entire net income for any FDIC premium paid or incurred by the taxpayer that is disallowed as a deduction under subsection (r) of section 162 of the internal revenue code.

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

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

LBD16214-01-8