

STATE OF NEW YORK

10291

IN ASSEMBLY

April 15, 2020

Introduced by M. of A. SIMOTAS, LUPARDO, DICKENS, LENTOL, REYES, TAYLOR
-- Multi-Sponsored by -- M. of A. STERN -- read once and referred to
the Committee on Ways and Means

AN ACT to amend the tax law, in relation to prohibiting federal corporate bailout recipients who engage in stock buybacks from receiving New York state tax credits

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 212 to read
2 as follows:

3 § 212. Certain corporate bailout recipients prohibited from receiving
4 tax credits. 1. A federal emergency economic assistance recipient shall
5 be prohibited from applying for or receiving any New York state tax
6 credit under this chapter within three years of any purchase, redemp-
7 tion, or other reacquisition of its own shares.

8 2. A federal emergency economic assistance recipient applying for or
9 receiving a tax credit in violation of subdivision one of this section
10 may be subject to a civil penalty of three times the amount of such tax
11 credit. The attorney general may impose such civil penalty on any recip-
12 ient he or she determines has violated subdivision one of this section.

13 3. For the purposes of this section, "federal emergency economic
14 assistance recipient" or "recipient" shall mean any corporation that has
15 received federal emergency economic assistance under a program author-
16 ized by a federal bailout or stimulus act.

17 § 2. This act shall take effect immediately.

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

LBD16075-01-0