

# STATE OF NEW YORK

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## IN ASSEMBLY

November 6, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Reilly) --  
read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to establishing a tax credit  
for taxpayers who received unemployment insurance benefits during the  
COVID-19 pandemic

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

1 Section 1. Section 606 of the tax law is amended by adding a new  
2 subsection (kkk) to read as follows:

3 (kkk) COVID-19 unemployment benefits credit. (1) General. A qualifying  
4 individual taxpayer shall be allowed a credit for taxable years begin-  
5 ning on or after January first, two thousand twenty against the tax  
6 imposed by this article to offset taxes paid on the receipt of unemploy-  
7 ment insurance benefits during the COVID-19 covered period. The amount  
8 of such credit shall be five hundred dollars.

9 (2) Definitions. For the purposes of this subsection:

10 (A) The term "qualifying individual taxpayer" shall mean an individual  
11 taxpayer who received unemployment insurance benefits pursuant to arti-  
12 cle eighteen of the labor law during the COVID-19 covered period.

13 (B) The term "COVID-19 covered period" shall mean March twentieth, two  
14 thousand twenty until the date on which none of the provisions that  
15 closed or otherwise restricted public or private businesses or places of  
16 public accommodation, or required postponement or cancellation of all  
17 non-essential gatherings of individuals of any size for any reason in  
18 executive order 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10,  
19 202.11, 202.13 or 202.14, as extended by executive orders 202.28 and  
20 202.31 and as further extended by any future executive order, issued in  
21 response to the COVID-19 pandemic continue to apply.

22 (3) Application of credit. If the amount of the credit allowed under  
23 this subsection for any taxable year exceeds the taxpayer's tax for such  
24 year, the excess will be treated as an overpayment of tax to be credited  
25 or refunded in accordance with the provisions of section six hundred  
26 eighty-six of this article, provided, however, that no interest will be  
27 paid thereon.

28 § 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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