STATE OF NEW YORK

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6676--A

2019-2020 Regular Sessions

IN ASSEMBLY

March 14, 2019
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Introduced by M. of A. WOERNER, BRABENEC, DeSTEFANO -- Multi-Sponsored by -- M. of A. HAWLEY -- 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 establishing a personal income tax credit for parents who home school their children

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

1   Section 1. Section 606 of the tax law is amended by adding a new
2 subsection (c-2) to read as follows:
3   (c-2) Home schooling credit. (1) A resident taxpayer who maintains a
4 home school in compliance with the regulations of the department of
5 education shall be allowed a credit equal to the cost of learning mate-
6 rials purchased for home schooling purposes during the taxable year,
7 provided that such credit shall not exceed two thousand four hundred
8 dollars. For purposes of this subsection the term "learning materials"
9 shall include, but shall not be limited to, textbooks, workbooks,
10 supplemental reading material, videos, and software.
11 (2) If the amount of the credit allowed under this subsection for any
12 taxable year shall exceed the taxpayer's tax for such year, the excess
13 shall be treated as an overpayment of tax to be credited or refunded in
14 accordance with the provisions of section six hundred eighty-six of this
15 article, provided, however, that no interest shall be paid thereon.
16 (3) In the case of a husband and wife who file a joint federal return,
17 but who are required to determine their New York taxes separately, the
18 credit allowed pursuant to this subsection may be applied against the
19 tax imposed of either or divided between them as they may elect.
20 § 2. This act shall take effect immediately and shall apply to taxable
21 years commencing on and after January 1, 2020.

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

                                                          LBD10524-02-9