STATE OF NEW YORK

2503

2019-2020 Regular Sessions

IN ASSEMBLY

January 23, 2019

Introduced by M. of A. RODRIGUEZ, BLAKE, COLTON, MOSLEY, D'URSO -- read once and referred to the Committee on Ways and Means

AN ACT to amend the administrative code of the city of New York and the tax law, in relation to establishing a tax table benefit recapture; and in relation to New York city personal income tax rates

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

1	Section 1. Section 11-1701 of the administrative code of the city of
2	New York is amended by adding a new subdivision (i) to read as follows:
3	(i) Tax table benefit recapture. For taxable years beginning in two
4	thousand twenty, there is hereby imposed a supplemental tax, in addition
5	to the tax imposed under the opening paragraph of this section, for the
6	purpose of recapturing the benefit of the tax tables contained in subdi-
7	vision (a) of this section. The supplemental tax shall be an amount
8	equal to the sum of the tax table benefits in paragraphs one, two and
9	three of this subdivision multiplied by their respective fractions in
10	such paragraphs.
11	(1) Resident married individuals filing joint returns and surviving
12	spouses. Subparagraphs (A) and (B) of this paragraph apply only to
13	<u>filers whose taxable income exceeds \$250,000.</u>
14	<u>(A) The tax table benefit is \$333.</u>
15	(B) The fraction is computed as follows: the numerator is the lesser
16	of fifty thousand dollars or the excess of New York adjusted gross
17	income for the taxable year over two hundred fifty thousand dollars and
18	the denominator is fifty thousand dollars.
19	(2) Resident unmarried individuals and resident married individuals
20	filing separate returns. Subparagraphs (A) and (B) of this paragraph
21	apply only to filers whose taxable income exceeds \$150,000.
22	<u>(A) The tax table benefit is \$185.</u>
23	(B) The fraction is computed as follows: the numerator is the lesser
24	of fifty thousand dollars or the excess of New York adjusted gross

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

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1	income for the taxable year over one	bundred fifty thousand dollars and	
2	income for the taxable year over one hundred fifty thousand dollars and the denominator is fifty thousand dollars.		
3	(3) Resident head of household. Subparagraphs (A) and (B) of this		
4	paragraph apply only to filers whose taxable income exceeds \$180,000.		
5	(A) The tax table benefit is \$222.		
6	(B) The fraction is computed as fo	llows: the numerator is the lesser	
7	of fifty thousand dollars or th	e excess of New York adjusted gross	
8		hundred eighty thousand dollars and	
9	the denominator is fifty thousand do		
10	§ 2. Paragraph 1 of subdivision (
11	istrative code of the city of New York is amended by adding a new		
12	subparagraph (D) to read as follows:		
13	(D) For taxable years beginning in	two thousand twenty:	
14	If the city taxable income is:	<u>The tax is:</u>	
15	Not over \$21,600	2.168% of the city taxable income	
16	<u>Over \$21,600 but not</u>	<u>\$468 plus 2.635% of excess</u>	
17	<u>over \$45,000</u>	<u>over \$21,600</u>	
18	<u>Over \$45,000 but not</u>	<u>\$1,085 plus 2.993% of excess</u>	
19	<u>over \$90,000</u>	<u>over \$45,000</u>	
20	<u>Over \$90,000 but not</u>	<u>\$2,432 plus 3.15% of excess</u>	
21	<u>over \$150,000</u>	<u>over \$90,000</u>	
22	<u>Over \$150,000 but not</u>	\$4,322 plus 3.2% of excess	
23	<u>over \$500,000</u>	<u>over \$150,000</u>	
24	<u>Over \$500,000 but not</u>	\$15,522 plus 3.4% of excess	
25	<u>over \$1,000,000</u>	<u>over \$500,000</u>	
26	<u>Over \$1,000,000 but not</u>	\$32,522 plus 3.7% of excess	
27 28	<u>over \$2,000,000</u> <u>Over \$2,000,000</u>	<u>over \$1,000,000</u>	
20 29	<u>over \$2,000,000</u>	<u>\$69,522 plus 3.8% of excess</u> over \$2,000,000	
27		<u> </u>	
30	§ 3. Paragraph 2 of subdivision (a) of section 11-1701 of the adminis-	
31	trative code of the city of New York	is amended by adding a new subpara-	
32	graph (D) to read as follows:		
33	(D) For taxable years beginning in	two thousand twenty:	
34	If the city taxable income is:	The tax is:	
35	Not over \$14,400	2.168% of the city taxable income	
36	<u>Over \$14,400 but not</u>	<u>\$312 plus 2.635% of excess</u>	
37	over \$30,000	over \$14,400	
38	Over \$30,000 but not	\$723 plus 2.993% of excess	
39	<u>over \$60,000</u>	<u>over \$30,000</u>	
40	<u>Over \$60,000 but not</u>	<u>\$1,621 plus 3.15% of excess</u>	
41	<u>over \$100,000</u>	<u>over \$60,000</u>	
42	<u>Over \$100,000 but not</u>	<u>\$2,881 plus 3.2% of excess</u>	
43	<u>over \$500,000</u>	<u>over \$100,000</u>	
44	<u>Over \$500,000 but not</u>	<u>\$15,681 plus 3.4% of excess</u>	
45	<u>over \$1,000,000</u>	<u>over \$500,000</u>	
46	<u>Over \$1,000,000 but not</u>	\$32,681 plus 3.7% of excess	
47	<u>over \$2,000,000</u>	<u>over \$1,000,000</u>	
48	<u>Over \$2,000,000</u>	\$69,681 plus 3.8% of excess	
49		<u>over \$2,000,000</u>	

§ 4. Paragraph 3 of subdivision (a) of section 11-1701 of the administrative code of the city of New York is amended by adding a new subparagraph (D) to read as follows: A. 2503

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(D) For taxable years beginning in two thousand twenty: 1

2	If the city taxable income is:
3	<u>Not over \$12,000</u>
4	<u>Over \$12,000 but not</u>
5	<u>over \$25,000</u>
б	<u>Over \$25,000 but not</u>
7	<u>over \$50,000</u>
8	<u>Over \$50,000 but not</u>
9	<u>over \$83,000</u>
10	<u>Over \$83,000 but not</u>
11	<u>over \$500,000</u>
12	<u>Over \$500,000 but not</u>
13	<u>over \$1,000,000</u>
14	<u>Over \$1,000,000 but not</u>
15	<u>over \$2,000,000</u>
16	<u>Over \$2,000,000</u>

The tax is: 2.168% of the city taxable income \$260 plus 2.635% of excess over \$12,000 \$603 plus 2.993% of excess <u>over \$25,000</u> \$1,351 plus 3.15% of excess <u>over \$50,000</u> \$2,400 plus 3.2% of excess <u>over \$83,000</u> \$15,734 plus 3.4% of excess <u>over \$500,000</u> <u>\$32,734 plus 3.7% of excess</u> <u>over \$1,000,000</u> \$69,734 plus 3.8% of excess over \$2,000,000

18 § 5. Paragraph 1 of subsection (a) of section 1304 of the tax law is 19 amended by adding a new subparagraph (D) to read as follows:

- (D) For taxable years beginning in two thousand twenty: 20
- If the city taxable income is: 21 22 Not over \$21,600 23 Over \$21,600 but not 24 over \$45,000 25 Over \$45,000 but not 26 over \$90,000 27 Over \$90,000 but not 28 over \$150,000 29 Over \$150,000 but not 30 over \$500,000 <u>Over \$500,000 but not</u> 31 32 over \$1,000,000 33 Over \$1,000,000 but not 34 over \$2,000,000 35 Over \$2,000,000 36

The tax is: 2.168% of the city taxable income \$468 plus 2.635% of excess <u>over \$21,600</u> \$1,085 plus 2.993% of excess <u>over \$45,000</u> \$2,432 plus 3.15% of excess <u>over \$90,000</u> \$4,322 plus 3.2% of excess over \$150,000 \$15,522 plus 3.4% of excess <u>over \$500,000</u> \$32,522 plus 3.7% of excess over \$1,000,000 \$69,522 plus 3.8% of excess over \$2,000,000

§ 6. Paragraph 2 of subsection (a) of section 1304 of the tax law is 37 38 amended by adding a new subparagraph (D) to read as follows:

39	(D) For taxable years beginning	in two thousand twenty:
40	If the city taxable income is:	<u>The tax is:</u>
41	<u>Not over \$14,400</u>	2.168% of the city taxable income
42	<u>Over \$14,400 but not</u>	<u>\$312 plus 2.635% of excess</u>
43	<u>over \$30,000</u>	<u>over \$14,400</u>
44	<u>Over \$30,000 but not</u>	<u>\$723 plus 3.15% of excess</u>
45	<u>over \$60,000</u>	<u>over \$30,000</u>
46	<u>Over \$60,000 but not</u>	<u>\$1,621 plus 3.15% of excess</u>
47	<u>over \$100,000</u>	<u>over \$60,000</u>
48	<u>Over \$100,000 but not</u>	<u>\$2,881 plus 3.2% of excess</u>
49	<u>over \$500,000</u>	<u>over \$100,000</u>
50	<u>Over \$500,000 but not</u>	<u>\$15,681 plus 3.4% of excess</u>
51	over \$1,000,000	over \$500,000

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1 2 3 4	<u>Over \$1,000,000 but not</u> <u>over \$2,000,000</u> <u>Over \$2,000,000</u>	<u>\$32,681 plus 3.7% of excess</u> over \$1,000,000 \$69,681 plus 3.8% of excess over \$2,000,000
5	§ 7. Paragraph 3 of subsection (a)	
6	amended by adding a new subparagraph (D) to read as follows:
7	(D) For taxable years beginning in t	wo thousand twenty:
8	If the city taxable income is:	The tax is:
9	<u>Not over \$12,000</u>	2.168% of the city taxable income
10	<u>Over \$12,000 but not</u>	<u>\$260 plus 2.635% of excess</u>
11	<u>over \$25,000</u>	<u>over \$12,000</u>
12	<u>Over \$25,000 but not</u>	<u>\$603 plus 2.993% of excess</u>
13	<u>over \$50,000</u>	<u>over \$25,000</u>
14	<u>Over \$50,000 but not</u>	<u>\$1,351 plus 3.15% of excess</u>
15	<u>over \$83,000</u>	<u>over \$50,000</u>
16	<u>Over \$83,000 but not</u>	\$2,400 plus 3.2% of excess
17	<u>over \$500,000</u>	<u>over \$83,000</u>
18	<u>Over \$500,000 but not</u>	<u>\$15,734 plus 3.4% of excess</u>
19	<u>over \$1,000,000</u>	<u>over \$500,000</u>
20	<u>Over \$1,000,000 but not</u>	<u>\$32,734 plus 3.7% of excess</u>
21	<u>over \$2,000,000</u>	<u>over \$1,000,000</u>
22	<u>Over \$2,000,000</u>	<u>\$69,734 plus 3.8% of excess</u>
23		<u>over \$2,000,000</u>

§ 8. The commissioner of taxation and finance shall take steps to publicize the necessary adjustments to estimated tax and, to the extent reasonably possible, to inform the taxpayer of the tax liability changes made by this act.

28 § 9. This act shall take effect immediately.

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