STATE OF NEW YORK

2590

2019-2020 Regular Sessions

IN ASSEMBLY

January 24, 2019

Introduced by M. of A. CROUCH, DiPIETRO, GIGLIO, LAWRENCE, MORINELLO, NORRIS -- Multi-Sponsored by -- M. of A. HAWLEY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to creating a doing business with a vocational program tax credit

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

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

(jjj) Doing business with a vocational program tax credit. (1) Allowance of credit. A taxpayer who owns a business that makes purchases from a vocational program shall be allowed a credit, to be computed as provided in paragraph three of this subsection, against the tax imposed by this article. To qualify for the credit provided in this section, a taxpayer must be a New York resident and own a business located in New York.

(2) Definition. For the purposes of this subsection, the term "vocational program" shall have the same definition as set forth by the commissioner of the office of people with developmental disabilities.

(3) Amount of credit. The amount of credit shall equal one hundred percent of the purchases made by the taxpayer to a business that is a vocational program.

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

§ 2. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (xliv) to read as follows:

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

LBD03051-01-9

(xliv) Doing business with a vocational program tax credit under subsection (jjj)	Amount of credit under subdivision fifty-three of section two hundred ten-B

§ 3. Section 210-B of the tax law is amended by adding a new subdivision 53 to read as follows:

53. Doing business with a vocational program tax credit. (a) Allowance of credit. A taxpayer who owns a business that makes purchases from a vocational program shall be allowed a credit, to be computed as provided in paragraph (c) of this subdivision, against the tax imposed by this article. To qualify for the credit provided in this section, a taxpayer must be a New York resident and own a business located in New York.

(b) Definition. For the purposes of this subdivision, the term "vocational program" shall have the same definition as set forth by the commissioner of the office of people with developmental disabilities.

(c) Amount of credit. The amount of credit shall equal one hundred percent of the purchases made by the taxpayer to a business that is a vocational program.

(d) Application of credit. If the amount of the credit allowed under this subdivision for any taxable year shall exceed the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this chapter, provided, however, that no interest shall be paid thereon.

§ 4. This act shall take effect immediately and shall apply to all taxable years beginning on and after January 1, 2019.