# STATE OF NEW YORK

5408

2021-2022 Regular Sessions

# IN SENATE

March 4, 2021

Introduced by Sen. RATH -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend the tax law, in relation to increasing the child and dependent care tax credit

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

Section 1. Paragraph (1-b) of subsection (c) of section 606 of the tax law, as added by section 2 of part T of chapter 59 of the laws of 2017, is amended to read as follows:

(1-b) Notwithstanding anything in this subsection to the contrary, a taxpayer shall be allowed a credit as provided in this subsection equal to the applicable percentage of the credit allowable under section twenty-one of the internal revenue code for the same taxable year (without regard to whether the taxpayer in fact claimed the credit under such section twenty-one for such taxable year) that would have been allowed absent the application of section 21(c) of such code [~~for taxpayers with more than two qualifying individuals~~], provided however, that the credit shall be calculated as if the dollar limit on amount creditable shall not exceed:

**(i)** seven thousand five hundred dollars if there are three qualifying individuals, eight thousand five hundred dollars if there are four qualifying individuals, and nine thousand dollars if there are five or more qualifying individuals **for taxable years beginning in two thousand twenty; and**

**(ii) six thousand dollars if there is one qualifying individual, twelve thousand dollars if there are two qualifying individuals, fifteen thousand dollars if there are three qualifying individuals, seventeen thousand dollars if there are four qualifying individuals, and eighteen thousand dollars if there are five or more qualifying individuals for taxable years beginning in two thousand twenty-one**.

§ 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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