STATE OF NEW YORK

3660

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. RODRIGUEZ -- 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:
- (i) Tax table benefit recapture. For taxable years beginning in two thousand twenty-two, there is hereby imposed a supplemental tax, in addition to the tax imposed under the opening paragraph of this section, for the purpose of recapturing the benefit of the tax tables contained in subdivision (a) of this section. The supplemental tax shall be an amount equal to the sum of the tax table benefits in paragraphs one, two and three of this subdivision multiplied by their respective fractions in 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 filers whose taxable income exceeds \$250,000.
- 14 (A) The tax table benefit is \$333.
- 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 (A) The tax table benefit is \$185.
- 23 <u>(B) The fraction is computed as follows: the numerator is the lesser</u> 24 <u>of fifty thousand dollars or the excess of New York adjusted gross</u>

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

LBD03039-01-1

A. 3660 2

1 income for the taxable year over one hundred fifty thousand dollars and
2 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.
 - (A) The tax table benefit is \$222.
- 6 (B) The fraction is computed as follows: the numerator is the lesser
- 7 of fifty thousand dollars or the excess of New York adjusted gross
- 8 income for the taxable year over one hundred eighty thousand dollars and
- 9 the denominator is fifty thousand dollars.
- 10 § 2. Paragraph 1 of subdivision (a) of section 11-1701 of the admin-
- 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-two:

14	If the city taxable income is:	The tax is:
15	Not over \$21,600	2.168% of the city taxable income
16	Over \$21,600 but not	\$468 plus 2.635% of excess
17	over \$45,000	over \$21,600
18	Over \$45,000 but not	\$1,085 plus 2.993% of excess
19	over \$90,000	<u>over \$45,000</u>
20	Over \$90,000 but not	\$2,432 plus 3.15% of excess
21	over \$150,000	over \$90,000
22	Over \$150,000 but not	\$4,322 plus 3.2% of excess
23	over \$500,000	over \$150,000
24	Over \$500,000 but not	\$15,522 plus 3.4% of excess
25	over \$1,000,000	over \$500,000
26	Over \$1,000,000 but not	\$32,522 plus 3.7% of excess
27	over \$2,000,000	<pre>over \$1,000,000</pre>
28	Over \$2,000,000	\$69,522 plus 3.8% of excess
29		over \$2,000,000

- 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-two:

34	If the city taxable income is:	The tax is:
35	Not over \$14,400	2.168% of the city taxable income
36	Over \$14,400 but not	\$312 plus 2.635% of excess
37	over \$30,000	over \$14,400
38	Over \$30,000 but not	\$723 plus 2.993% of excess
39	over \$60,000	over \$30,000
40	Over \$60,000 but not	\$1,621 plus 3.15% of excess
41	over \$100,000	over \$60,000
42	Over \$100,000 but not	\$2,881 plus 3.2% of excess
43	over \$500,000	over \$100,000
44	Over \$500,000 but not	\$15,681 plus 3.4% of excess
45	over \$1,000,000	over \$500,000
46	Over \$1,000,000 but not	\$32,681 plus 3.7% of excess
47	over \$2,000,000	over \$1,000,000
48	Over \$2,000,000	\$69,681 plus 3.8% of excess
49		over \$2,000,000

- 50 § 4. Paragraph 3 of subdivision (a) of section 11-1701 of the adminis-
- 51 trative code of the city of New York is amended by adding a new subpara-
- 52 graph (D) to read as follows:

A. 3660

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

If the city taxable income is: 2 The tax is: 3 Not over \$12,000 2.168% of the city taxable income 4 Over \$12,000 but not \$260 plus 2.635% of excess 5 <u>over \$25,000</u> over \$12,000 6 Over \$25,000 but not \$603 plus 2.993% of excess over \$50,000 over \$25,000 8 Over \$50,000 but not \$1,351 plus 3.15% of excess 9 <u>over \$83,000</u> over \$50,000 10 Over \$83,000 but not \$2,400 plus 3.2% of excess over \$500,000 over \$83,000 11 Over \$500,000 but not 12 \$15,734 plus 3.4% of excess 13 <u>over \$1,000,000</u> over \$500,000 14 Over \$1,000,000 but not \$32,734 plus 3.7% of excess 15 <u>over \$2,000,000</u> over \$1,000,000 16 Over \$2,000,000 \$69,734 plus 3.8% of excess 17 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:

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

21	If the city taxable income is:	The tax is:
22	Not over \$21,600	2.168% of the city taxable income
23	Over \$21,600 but not	\$468 plus 2.635% of excess
24	over \$45,000	<u>over \$21,600</u>
25	Over \$45,000 but not	\$1,085 plus 2.993% of excess
26	over \$90,000	<u>over \$45,000</u>
27	Over \$90,000 but not	\$2,432 plus 3.15% of excess
28	over \$150,000	<u>over \$90,000</u>
29	Over \$150,000 but not	\$4,322 plus 3.2% of excess
30	over \$500,000	<u>over \$150,000</u>
31	Over \$500,000 but not	\$15,522 plus 3.4% of excess
32	over \$1,000,000	<u>over \$500,000</u>
33	Over \$1,000,000 but not	\$32,522 plus 3.7% of excess
34	over \$2,000,000	<u>over \$1,000,000</u>
35	Over \$2,000,000	\$69,522 plus 3.8% of excess
36		<u>over \$2,000,000</u>

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

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

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

A. 3660 4

1 Over \$1,000,000 but not \$32,681 plus 3.7% of excess over \$2,000,000 over \$1,000,000 \$69,681 plus 3.8% of excess over \$2,000,000 over \$2,000,000

5 § 7. Paragraph 3 of subsection (a) of section 1304 of the tax law is 6 amended by adding a new subparagraph (D) to read as follows:

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

8 If the city taxable income is: The tax is: 2.168% of the city taxable income 9 Not over \$12,000 \$260 plus 2.635% of excess 10 Over \$12,000 but not 11 <u>over \$25,000</u> over \$12,000 12 <u>Over \$25,000 but not</u> \$603 plus 2.993% of excess 13 <u>over \$50,000</u> over \$25,000 14 Over \$50,000 but not \$1,351 plus 3.15% of excess 15 <u>over \$83,000</u> over \$50,000 16 Over \$83,000 but not \$2,400 plus 3.2% of excess 17 <u>over \$500,000</u> over \$83,000 18 Over \$500,000 but not \$15,734 plus 3.4% of excess 19 <u>over \$1,000,000</u> over \$500,000 20 Over \$1,000,000 but not \$32,734 plus 3.7% of excess 21 over \$2,000,000 over \$1,000,000 22 Over \$2,000,000 \$69,734 plus 3.8% of excess over \$2,000,000 23

- § 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.