

# STATE OF NEW YORK

4752

2021-2022 Regular Sessions

## IN ASSEMBLY

February 8, 2021

Introduced by M. of A. MANKTELOW -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the tax law, in relation to deductions against personal  
income tax

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

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

3 (w) Child care tax deduction. (1) A taxpayer shall be allowed a  
4 deduction against the tax imposed by this article. The amount of the  
5 deduction shall be equal to the amount of income not to exceed ten thou-  
6 sand dollars earned by an at home parent by providing child care  
7 services for up to two qualifying children.

8 (2)(A) For the purposes of this subsection, "at home parent" means a  
9 parent who provides full-time care at the parent's residence for one or  
10 more of the parent's own qualifying pre-school children and who claims  
11 the qualifying child as a dependent on the parent's individual income  
12 tax return for the taxable year for which the parent claims the credit.

13 (B) For the purposes of this subsection, "parent" means an individual  
14 who:

15 (i) is the biological mother or father of a qualifying child; or

16 (ii) is the stepfather or stepmother of a qualifying child; or

17 (iii) legally adopts a qualifying child; or has a qualifying child  
18 placed in the individual's home by a child placing agency for the  
19 purpose of legally adopting the child; or

20 (iv) is a legal guardian of a qualifying child.

21 (C) For the purposes of this subsection "qualifying child" means a  
22 child who is not older than six years of age and is yet to enroll in a  
23 certified elementary school program or has enrolled in a certified  
24 elementary school program at some point during the taxable year.

25 § 2. This act shall take effect on the first of January next succeed-  
26 ing the date on which it shall have become a law.

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

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