

STATE OF NEW YORK

8034

2021-2022 Regular Sessions

IN ASSEMBLY

June 7, 2021

Introduced by M. of A. McDONALD -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to providing a deduction for repayment of amounts reported in a taxpayer's income in a previous tax year

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

1 Section 1. Subsection (c) of section 612 of the tax law is amended by
2 adding a new paragraph 45 to read as follows:

3 (45) (A) The amount of an item that was included in New York adjusted
4 gross income for a prior taxable year (or years) because it appeared
5 that the taxpayer had an unrestricted right to such item but was repaid
6 by the taxpayer during the taxable year because it was established after
7 the close of such prior taxable year (or years) that the taxpayer did
8 not have an unrestricted right to such item or to a portion of such
9 item.

10 (B) No subtraction shall be allowed under this paragraph if the repay-
11 ment amount is included in the deduction allowed under section six
12 hundred fifteen or any other provision of this article, or if the repay-
13 ment amount is the basis for a credit claimed by the taxpayer pursuant
14 to section six hundred sixty-two of this article.

15 § 2. This act shall take effect immediately and shall apply to taxable
16 years commencing on or after January 1, 2021.

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

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