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:

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

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

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

§ 2. This act shall take effect immediately and shall apply to taxable 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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