STATE OF NEW YORK

5271

2021-2022 Regular Sessions

IN SENATE

March 1, 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 establishing a high deductible health plan tax credit

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

Section 1. Section 606 of the tax law is amended by adding a new subsection (a-3) to read as follows:

(a-3) High deductible health plan tax credit. (1) Allowance of credit. A taxpayer shall be allowed a credit against the tax imposed by this article equal to twenty-five percent of deductibles paid by the taxpayer who is enrolled in a high deductible health plan, as defined in paragraph two of subsection c of section two hundred twenty-three of the internal revenue code, during the taxable year that is in excess of five percent of the taxpayer's adjusted gross income.

(2) Application of credit. If the amount of the credit allowed under this subsection for any taxable year shall exceed the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest shall be paid thereon.

§ 2. This act shall take effect immediately and shall apply to taxable years commencing on and after January 1, 2022.

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

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