

# STATE OF NEW YORK

908

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. BENJAMIN -- 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 an attorney pro bono representation for sexual harassment, harassment, or discrimination tax deduction

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 43 to read as follows:

3 (43) Payment not in excess of seven thousand five hundred dollars,  
4 equal to expenses incurred and actually paid by an attorney taxpayer in  
5 such attorney taxpayer's pro bono representation in a sexual harassment,  
6 harassment, or discrimination case, to the extent not deductible in  
7 determining federal adjusted gross income and not reimbursed. Such  
8 deduction shall only include expenses for such attorney taxpayer's pro  
9 bono representation of one sexual harassment, harassment, or discrimi-  
10 nation case within the same taxable year. For the purposes of this para-  
11 graph, the following terms shall have the following meanings:

12 (A) "Sexual harassment, harassment, or discrimination case" shall mean  
13 any case involving any unlawful discriminatory practices set forth in  
14 subdivision one of section two hundred ninety-six of the executive law.

15 (B) "Attorney taxpayer" shall mean a taxpayer who is licensed to prac-  
16 tice law in this state.

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

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

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