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:

Section 1. Subsection (c) of section 612 of the tax law is amended by adding a new paragraph 43 to read as follows:

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

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

(B) "Attorney taxpayer" shall mean a taxpayer who is licensed to practice law in this state.

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