

# STATE OF NEW YORK

9281

## IN SENATE

May 12, 2022

Introduced by Sen. SERINO -- 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 the Empire state child credit

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

1 Section 1. Paragraph 1 of subsection (c-1) of section 606 of the tax  
2 law, as amended by section 1 of part P of chapter 59 of the laws of  
3 2018, is amended to read as follows:

4 (1) A resident taxpayer shall be allowed a credit as provided herein  
5 equal to the greater of one hundred dollars times the number of qualify-  
6 ing children of the taxpayer or the applicable percentage of the child  
7 tax credit allowed the taxpayer under section twenty-four of the inter-  
8 nal revenue code for the same taxable year for each qualifying child.  
9 Provided, however, in the case of a taxpayer whose federal adjusted  
10 gross income exceeds the applicable threshold amount set forth by  
11 section 24(b)(2) of the Internal Revenue Code, the credit shall only be  
12 equal to the applicable percentage of the child tax credit allowed the  
13 taxpayer under section 24 of the Internal Revenue Code for each qualify-  
14 ing child. For the purposes of this subsection, a qualifying child shall  
15 be a child who meets the definition of qualified child under section  
16 24(c) of the internal revenue code and is at least four years of age.  
17 The applicable percentage shall be thirty-three percent. [~~For purposes~~  
18 ~~of this subsection, any reference to section 24 of the Internal Revenue~~  
19 ~~Code shall be a reference to such section as it existed immediately~~  
20 ~~prior to the enactment of Public Law 115-97.~~]

21 § 2. This act shall take effect immediately and shall apply to taxable  
22 years commencing on or after January 1, 2018.

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

LBD15855-01-2