

STATE OF NEW YORK

1573

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. WALLACE -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to the election to have federal and/or state income tax deducted and withheld from an individual's unemployment insurance benefits

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

- 1 Section 1. Paragraph (a) of subdivision 6 of section 596 of the labor
2 law, as amended by chapter 369 of the laws of 2008, is amended to read
3 as follows:
- 4 (a)(1) Unemployment benefits are subject to federal, state and local
5 income tax;
- 6 (2) Requirements exist pertaining to estimated tax payments;
- 7 (3) The individual may elect to have federal and/or state income tax
8 deducted and withheld from the individual's payment of unemployment
9 benefits at the amount specified under the federal internal revenue code
10 (26 U.S.C.A. 3402(p)(2)) and/or [~~the~~] an amount equal to four percent of
11 such payment for the purpose of the state income tax withholding [~~tax~~
12 ~~schedules as specified under the tax law and relevant regulations~~];
13 [~~and~~]
- 14 (4) The individual shall be permitted to change a previously elected
15 withholding status[~~-~~]; and
- 16 (5) Even if the individual elects to have federal and/or state income
17 tax deducted and withheld from the individual's payment of unemployment
18 benefits, additional tax may still be due as prescribed for such tax
19 payment under the tax law.
- 20 § 2. This act shall take effect immediately.

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

LBD01290-01-3