STATE OF NEW YORK

2791

2023-2024 Regular Sessions

IN ASSEMBLY

January 27, 2023

Introduced by M. of A. JONES, STERN, STIRPE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the business income base rate and expanding the small business subtraction modification

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

Section 1. Subparagraph (iv) of paragraph (a) of subdivision 1 of section 210 of the tax law, as amended by section 12 of part A of chapter 59 of the laws of 2014, is amended to read as follows:

(iv) **(A)** for taxable years beginning before January first, two thousand sixteen, if the business income base is not more than two hundred ninety thousand dollars the amount shall be six and one-half percent of the business income base; if the business income base is more than two hundred ninety thousand dollars but not over three hundred ninety thousand dollars the amount shall be the sum of (1) eighteen thousand eight hundred fifty dollars, (2) seven and one-tenth percent of the excess of the business income base over two hundred ninety thousand dollars but not over three hundred ninety thousand dollars and (3) four and thirty-five hundredths percent of the excess of the business income base over three hundred fifty thousand dollars but not over three hundred ninety thousand dollars;

(B) for taxable years beginning on or after January first, two thousand twenty-four, if the business income base is not more than two hundred ninety thousand dollars the amount shall be four percent of the business income base; if the business income base is more than two hundred ninety thousand dollars but not over three hundred ninety thousand dollars the amount shall be the sum of (1) eleven thousand six hundred dollars, (2) six and one-half percent of the excess of the business income base over two hundred ninety thousand dollars but not over three hundred ninety thousand dollars and (3) eighteen and thirteen hundredths percent of the excess of the business income base over three

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

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hundred fifty thousand dollars but not over three hundred ninety thousand dollars;

§ 2. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1, 2024.