STATE OF NEW YORK

3936

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. BICHOTTE HERMELYN, COLTON, CRUZ, JACKSON -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to providing a tax credit for certain taxpayers who suffer the birth of a stillborn child

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

Section 1. Section 606 of the tax law is amended by adding a new subsection (ooo) to read as follows:

(ooo) Stillbirth tax credit. (1) A taxpayer shall be allowed a refundable credit against the tax imposed by this article equal to two thousand dollars for the birth of a stillborn child, provided the stillborn child would have been a dependent of the taxpayer as defined by section 152 of the Internal Revenue Code. The credit shall be allowed for the taxable year in which a certificate of stillbirth is issued pursuant to section four thousand one hundred sixty-a of the public health law.

(2) For purposes of this subsection, "birth of a stillborn child" shall mean the birth of a child for whom a certificate of stillbirth has been issued pursuant to section four thousand one hundred sixty-a of the public health law.

§ 2. This act shall take effect immediately and shall apply to taxable years commencing on and after January 1, 2023. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.

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

LBD04623-01-3