STATE OF NEW YORK

9886

IN SENATE

August 2, 2024

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the tax law, in relation to creating an adoption tax credit

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 (qqq) to read as follows:

(qqq) Adoption tax credit. (1) A resident taxpayer shall be allowed a credit against the tax imposed by this article in an amount equaling fifty percent of the qualified adoption expenses paid during the taxable year in conjunction with such taxpayer's adoption of a child or ten thousand dollars, whichever is less. If the amount of the credit allowable under this subsection for any taxable year shall exceed the taxpayer's tax for such year, the excess shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section six hundred eighty-six of this article, provided, however, that no interest shall be paid thereon.

(2) For the purposes of this subsection, the term "qualified adoption expenses" shall mean the reasonable and necessary adoption fees, court costs, attorneys' fees, and other expenses that are directly related to the legal adoption of a child.

§ 2. This act shall take effect immediately and shall apply to taxable years beginning on and after January 1, 2025.

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

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