

STATE OF NEW YORK

2332

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

Introduced by M. of A. WALSH, MORINELLO, HAWLEY, BARCLAY, BLANKENBUSH, BRABENEC, TAGUE -- Multi-Sponsored by -- M. of A. ANGELINO, BYRNES, GALLAHAN, MANKTELOW -- read once and referred to the Committee on Ways and Means

AN ACT to amend the administrative code of the city of New York, in relation to taxable estates; and to repeal article 26 of the tax law relating thereto

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

- 1 Section 1. Article 26 of the tax law is REPEALED.
- 2 § 2. Subdivision (r) of section 11-1712 of the administrative code of
- 3 the city of New York, as relettered by chapter 639 of the laws of 1986
- 4 and such section as renumbered by chapter 639 of the laws of 1986, is
- 5 amended to read as follows:
- 6 (r) In the case of a sale or other disposition of property acquired
- 7 from a decedent and valued by the executor of the estate of such dece-
- 8 dent [~~for the purposes of the tax under article twenty-six of the tax~~
- 9 ~~law (i) pursuant to paragraph two of subsection (b) of section nine~~
- 10 ~~hundred fifty-four of the tax law, or (ii) pursuant to section nine~~
- 11 ~~hundred fifty-four-a of the tax law,~~] where such estate was insufficient
- 12 to require the filing of a federal estate tax return, the amount neces-
- 13 sary to properly reflect the gain or loss from such sale or other dispo-
- 14 sition which would have been realized under this chapter, had[~~, in the~~
- 15 ~~case of clause (i) of this subdivision,~~] a federal estate tax return
- 16 been filed similarly valuing such property pursuant to section two thou-
- 17 sand thirty-two of the internal revenue code, or [~~in the case of clause~~
- 18 ~~(ii) of this subdivision,~~] pursuant to section two thousand thirty-two-A
- 19 of such code.
- 20 § 3. This act shall take effect immediately.

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

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