

# STATE OF NEW YORK

4396

2023-2024 Regular Sessions

## IN ASSEMBLY

February 14, 2023

Introduced by M. of A. FITZPATRICK, BLANKENBUSH, J. M. GIGLIO, MIKULIN, MORINELLO, TAGUE -- Multi-Sponsored by -- M. of A. BARCLAY, DeSTEFANO, HAWLEY, MANKTELOW, McDONOUGH -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the definition of qualified historic home for the purposes of the historic homeownership rehabilitation credit

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

1 Section 1. Subparagraph (A) of paragraph 5 of subsection (pp) of  
2 section 606 of the tax law, as added by chapter 547 of the laws of 2006,  
3 clause (iv) as amended by section 3-a of part U of 59 of the laws of  
4 2019, is amended to read as follows:

5 (A) The term "qualified historic home" means, for purposes of this  
6 subsection, a certified historic structure located within New York  
7 state:

8 (i) which has been substantially rehabilitated,

9 (ii) which, or any portion of which, is owned, in whole or part, by  
10 the taxpayer, and

11 (iii) in which the taxpayer resides during the taxable year in which  
12 the taxpayer is allowed a credit under this subsection[, ~~and~~

13 ~~(iv) (1) which is in whole or in part a targeted area residence within~~  
14 ~~the meaning of section 143(j) of the internal revenue code, or (2) is~~  
15 ~~located within a census tract which is identified as being at or below~~  
16 ~~one hundred percent of the state median family income in the most recent~~  
17 ~~federal census, or (3) which is located in a city with a population of~~  
18 ~~less than one million with a poverty rate greater than fifteen percent,~~  
19 ~~rounded to the nearest whole number, in the most recent five year esti-~~  
20 ~~mate from the American community survey published by the United States~~  
21 ~~census bureau].~~

22 § 2. 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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