STATE OF NEW YORK

92

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Budget and Revenue

AN ACT to amend the tax law, in relation to providing a tax credit for qualified expenses relating to healthy living

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) Healthy living credit. (1) A taxpayer shall be allowed a credit, to be computed as provided in this subsection, against the tax imposed pursuant to section six hundred one of this part. The amount of credit shall equal, up to one thousand dollars, the amount paid by the taxpayer during the taxable year for qualified expenses relating to healthy living.

(2) For the purposes of this subsection, "qualified expenses relating to healthy living" shall mean expenses relating to the purchase of exercise equipment, and the cost of membership at a gym or other similar facility, or other class involving physical activity including but not limited to sports, dance, or martial arts, and other expenses as determined by the commissioner to be expenses relating to healthy living.

(3) A taxpayer who is a parent or legal guardian, or another taxpayer filing a joint individual income tax return with such taxpayer, who paid for qualified expenses relating to healthy living for his or her child shall be allowed a tax credit pursuant to this subsection.

(4) In no event shall the amount of the credit provided by this subsection exceed the taxpayer's tax for the taxable year. However, if the amount of credit otherwise allowable pursuant to this subsection for any taxable year results in such excess amount, any amount of credit not deductible in such taxable year may be carried over to the following

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

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year or years and may be deducted from the taxpayer's tax for such year or years.

§ 2. This act shall take effect immediately and shall apply to taxable years beginning on and after the first of January next succeeding the date on which it shall have become a law.