STATE OF NEW YORK

1652

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to a tax credit for employment of an individual who has successfully completed a judicial diversion program or graduated from drug court

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

Section 1. Section 210-B of the tax law is amended by adding a new subdivision 61 to read as follows:

61. Credit for employment of individuals who have graduated from drug court or have successfully completed a judicial diversion program. (a) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in this subdivision, against the tax imposed by this article, if it employs an individual who has graduated from drug court or has successfully completed a judicial diversion program pursuant to article two hundred sixteen of the criminal procedure law, provided that such individual is employed for thirty-five hours or more per week and remains in the employ of such taxpayer for a minimum of twelve months.

(b) Amount of credit. A credit authorized by this section shall equal three thousand dollars per hired individual for the first year of employment and an additional one thousand dollars if the individual remains in employ for an additional twelve months.

(c) Application of credit. The credit allowed under this subdivision for any taxable year shall not reduce the tax due for such year to less than the amount prescribed in paragraph (d) of subdivision one of this section. If, however, the amount of credits allowed under this subdivision for any taxable year reduces the tax to such amount, any amount of credit thus not deductible in such taxable year shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section one thousand eighty-six of this chapter. Provided,

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

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however, the provisions of subsection (c) of section one thousand eighty-eight of this chapter notwithstanding, no interest shall be paid thereon.

§ 2. Subparagraph (B) of paragraph 1 of subsection (i) of section 606 of the tax law is amended by adding a new clause (lii) to read as follows:

(lii) Employment of individuals who have graduated from drug court or have successfully completed a judicial diversion program tax credit under subsection (bbb)	Amount of credit under subdivision sixty-one of section two hundred ten-B

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

(bbb) Tax credit for employment of individuals who have graduated from drug court or have successfully completed a judicial diversion program. (1) Allowance of credit. A taxpayer shall be allowed a credit, to be computed as provided in this subsection, against the tax imposed by this article, if it employs an individual who has graduated from drug court or who has successfully completed a judicial diversion program pursuant to article two hundred sixteen of the criminal procedure law, provided that such individual is employed for thirty-five hours or more per week and remains in the employ of such taxpayer for twelve months.

(2) Amount of credit. A credit authorized by this section shall equal three thousand dollars per hired individual for the first year of employment and an additional one thousand dollars if the individual remains in employ for an additional twelve months.

(3) Application of credit. The credit allowed under this subsection for any taxable year shall not reduce the tax due for such year to less than the higher of the amount prescribed in paragraphs (c) and (d) of subdivision one of section two hundred ten-B of this chapter. If, however, the amount of credits allowed under this subdivision for any taxable year reduces the tax to such amount, any amount of credit thus not deductible in such taxable year shall be treated as an overpayment of tax to be credited or refunded in accordance with the provisions of section one thousand eighty-six of this chapter. Provided, however, the provisions of subsection (c) of section one thousand eighty-eight of this chapter notwithstanding, no interest shall be paid thereon.

§ 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on the same date as part A of chapter 59 of the laws of 2014 took effect and shall apply to taxable years beginning on and after January 1, 2027 and shall apply to those employees hired after this act shall take effect.