

# STATE OF NEW YORK

2429

2025-2026 Regular Sessions

## IN SENATE

January 17, 2025

Introduced by Sens. SKOUFIS, GOUNARDES, HOYLMAN-SIGAL, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to creating a work opportunity tax credit; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The tax law is amended by adding a new section 50 to read  
2 as follows:

3 § 50. Work opportunity tax credit. (a) General. A taxpayer subject to  
4 tax under article nine-A, twenty-two, or thirty-three of this chapter  
5 shall be allowed a credit against such tax in an amount equal to one  
6 hundred percent of the credit that is allowed to the taxpayer under  
7 section 51 of the internal revenue code that is attributable to quali-  
8 fied wages paid to a New York resident who is a member of a targeted  
9 group and for whom a certificate to that effect has been issued by the  
10 department of labor.

11 (b) Definitions. The terms "qualified wages" and "targeted group"  
12 shall have the same meanings as in section 51 of the internal revenue  
13 code.

14 (c) Effect on other tax credits. Wages which are the basis of the  
15 credit under this section shall not be used as the basis for any other  
16 credit allowed under this chapter.

17 (d) Limit on tax credits issued. Over the lifetime of the tax credit,  
18 the total amount of tax credits provided for under this section shall  
19 not exceed ninety million dollars in total, or thirty million dollars  
20 for each taxable year.

21 (e) Cross-references. For application of the credit provided for in  
22 this section, see the following provisions of this chapter:

23 (1) article 9-A: section 210-B, subdivision 61;

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

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1 (2) article 22: section 606, subsection (bbb);

2 (3) article 33: section 1511, subdivision (ff).

3 § 2. Section 210-B of the tax law is amended by adding a new subdivi-  
4 sion 61 to read as follows:

5 61. Work opportunity tax credit. (a) Allowance of credit. A taxpayer  
6 shall be allowed a credit, to be computed as provided in section fifty  
7 of this chapter, against the tax imposed by this article. Such credit  
8 shall not exceed five hundred dollars per eligible employee per year in  
9 any given tax year.

10 (b) Application of credit. The credit allowed under this subdivision  
11 for any taxable year shall not reduce the tax due for such year to less  
12 than the amount prescribed in paragraph (d) of subdivision one of  
13 section two hundred ten of this article. However, if the amount of the  
14 credit allowed under this subdivision for any taxable year reduces the  
15 tax to such amount or if the taxpayer otherwise pays tax based on the  
16 fixed dollar minimum amount, any amount of credit thus not deductible in  
17 such taxable year will be treated as an overpayment of tax to be credit-  
18 ed in accordance with the provisions of section one thousand eighty-six  
19 of this chapter. Provided, however, the provisions of subsection (c) of  
20 section one thousand eighty-eight of this chapter notwithstanding, no  
21 interest shall be paid thereon.

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

24 (bbb) Work opportunity tax credit. (1) Allowance of credit. A taxpayer  
25 shall be allowed a credit, to be computed as provided in section fifty  
26 of this chapter, against the tax imposed by this article. Such credit  
27 shall not exceed five hundred dollars per eligible employee per year in  
28 any given tax year.

29 (2) Application of credit. If the amount of the credit allowed under  
30 this subsection for any taxable year shall exceed the taxpayer's tax for  
31 such year, the excess shall be treated as an overpayment of tax to be  
32 credited or refunded in accordance with the provisions of section six  
33 hundred eighty-six of this article, provided, however, that no interest  
34 shall be paid thereon.

35 § 4. Section 1511 of the tax law is amended by adding a new subdivi-  
36 sion (ff) to read as follows:

37 (ff) Work opportunity tax credit. (1) Allowance of credit. A taxpayer  
38 shall be allowed a credit, to be computed as provided in section fifty  
39 of this chapter, against the tax imposed by this article. Such credit  
40 shall not exceed five hundred dollars per eligible employee per year in  
41 any given tax year.

42 (2) Application of credit. The credit allowed under this subdivision  
43 shall not reduce the tax due for such year to be less than the minimum  
44 fixed by paragraph four of subdivision (a) of section fifteen hundred  
45 two or section fifteen hundred two-a of this article, whichever is  
46 applicable. However, if the amount of the credit allowed under this  
47 subdivision for any taxable year reduces the taxpayer's tax to such  
48 amount, any amount of credit thus not deductible will be treated as an  
49 overpayment of tax to be credited in accordance with the provisions of  
50 section one thousand eighty-six of this chapter. Provided, however, the  
51 provisions of subsection (c) of section one thousand eighty-eight of  
52 this chapter notwithstanding, no interest shall be paid thereon.

53 § 5. This act shall take effect April 1, 2026 and shall apply to taxa-  
54 ble years beginning on and after January 1, 2026 and shall apply to  
55 wages paid to individuals hired on and after such effective date and  
56 shall expire and be deemed repealed December 31, 2028.