

STATE OF NEW YORK

2429--A

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sens. SKOUFIS, ADDABBO, FAHY, GOUNARDES, HOYLMAN-SIGAL, JACKSON, MAY, C. RYAN, S. RYAN, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 as determined
6 under section 51 of the internal revenue code that is attributable to
7 qualified wages paid to a New York resident who is a member of a target-
8 ed group and for whom a certificate to that effect has been issued by
9 the department of labor. In the event of the repeal of section 51 of
10 the internal revenue code, this credit would be calculated as if such
11 section remained in full force and effect.

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

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

18 (d) Limit on tax credits issued. Over the lifetime of the tax credit,
19 the total amount of tax credits provided for under this section shall

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

LBD00450-03-5

1 not exceed ninety million dollars in total, or thirty million dollars
2 for each taxable year.

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

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

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

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

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

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

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

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

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

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

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

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

47 (2) Application of credit. The credit allowed under this subdivision
48 shall not reduce the tax due for such year to be less than the minimum
49 fixed by paragraph four of subdivision (a) of section fifteen hundred
50 two or section fifteen hundred two-a of this article, whichever is
51 applicable. However, if the amount of the credit allowed under this
52 subdivision for any taxable year reduces the taxpayer's tax to such
53 amount, any amount of credit thus not deductible will be treated as an
54 overpayment of tax to be credited in accordance with the provisions of
55 section one thousand eighty-six of this chapter. Provided, however, the

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

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