

STATE OF NEW YORK

4026

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sen. PARKER -- 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 creating a disabled person retrofit tax credit

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

1 Section 1. Section 606 of the tax law is amended by adding a new
2 subsection (bbb) to read as follows:

3 (bbb) Disabled person retrofit tax credit. (1) For taxable years
4 beginning on or after January first, two thousand twenty-six, a taxpayer
5 shall be allowed a credit, to be computed as hereinafter provided,
6 against the tax imposed by this article. The amount of the credit shall
7 be equal to thirty percent of the cost of the expenditures made by the
8 taxpayer with respect to the installation of qualified improvements at a
9 dwelling occupied by the taxpayer as their primary residence and may be
10 allowed in the taxable year in which the expenditure is incurred;
11 provided that the lifetime credit allowable with regard to expenditures
12 for the installation of qualified improvements at a particular dwelling
13 by any taxpayer shall not exceed five thousand dollars in the aggregate
14 for improvements made to that dwelling. Subject to the provisions of
15 this subsection, a taxpayer shall be allowed a credit, not to exceed
16 five thousand dollars in the aggregate, for each dwelling that the
17 taxpayer occupies as their primary residence and at which the taxpayer
18 installs qualified improvements.

19 (2) As used in this subsection "qualified improvements" means the
20 installation of:

21 (A) a no-step entrance or entrances allowing access into the resi-
22 dence;

23 (B) interior passage doors providing at least a thirty-two inch wide
24 opening;

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

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1 (C) reinforcements in bathroom walls allowing installation of grab
2 bars around the toilet, tub and shower; and

3 (D) light switches and outlets placed in locations accessible to disa-
4 bled persons.

5 (3) If the amount of credit allowable under this subsection shall
6 exceed the taxpayer's tax for such year, the excess may be carried over
7 to the following year or years and may be deducted from the taxpayer's
8 tax for such year or years.

9 (4) (A) The provisions of this subsection shall not apply to any
10 dwelling owned solely for commercial purposes. In the case of a building
11 where less than the entire building is used as a residence of the
12 taxpayer, only the portion of the total expenditures made in the build-
13 ing that is attributable to the residence of the taxpayer shall be
14 treated as qualified expenditures for the purposes of this subsection.

15 (B) If the taxpayer occupies the dwelling as their primary residence
16 for only a portion of a tax year in which a credit under this subsection
17 is claimed, the amount of the allowable credit shall be reduced in
18 proportion to the amount of time the taxpayer did not occupy the dwell-
19 ing as their primary residence.

20 (C) In the case of a dwelling that is owned by and is a residence of
21 two or more persons, other than a spouse, the portion of the total
22 expenditures made in the rehabilitation of the building that is attrib-
23 utable to each taxpayer shall be equal to the taxpayer's share of owner-
24 ship in such building.

25 (5) The taxpayer shall furnish such information as the commissioner
26 determines is necessary to determine any credit under this subsection.

27 (6) The aggregate amount of tax credits allowed shall be one million
28 dollars each year. Such aggregate amount of credits shall be allocated
29 by the department among taxpayers in order of priority based upon the
30 date of filing. If the total amount of allocated credits applied for in
31 any particular year exceeds the aggregate amount of tax credits allowed
32 for such year under this section, such excess shall be treated as having
33 been applied for on the first day of the subsequent year.

34 § 2. This act shall take effect immediately and shall be deemed to
35 have been in full force and effect on and after January 1, 2026;
36 provided further, this act shall apply to all tax years commencing on or
37 after January 1, 2026.