

STATE OF NEW YORK

4012

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. BRONSON, RAGA, TAPIA, SHIMSKY, STECK, HYNDMAN,
WEPRIN -- read once and referred to the Committee on Ways and Means

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 expi-
ration thereof

The People of the State of New York, represented in Senate and Assem-
bly, 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;

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

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

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

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

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

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

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

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

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

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

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

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

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