

STATE OF NEW YORK

4253

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

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

AN ACT to amend the tax law, in relation to establishing tax credits for
local newspaper subscriptions, newspaper payrolls, and local media
advertising; and providing for the repeal of certain provisions upon
expiration thereof

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

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

3 (qqq) Local newspaper subscription tax credit. (1) Allowance of cred-
4 it. A taxpayer with a subscription to a local newspaper during the taxa-
5 ble year shall be allowed a credit against the tax imposed by this arti-
6 cle in an amount not to exceed two hundred fifty dollars.

7 (2) Definitions. (A) For the purposes of this subsection, "local news-
8 paper" shall mean any print or digital publication if: (i) the primary
9 content of such publication is original content derived from primary
10 sources and relating to news and current events;

11 (ii) at least fifty-one percent of the readers of such publication,
12 including both print and digital versions, reside in:

13 a. a single county within this state, or

14 b. a single area with a two hundred mile radius;

15 (iii) at least fifty percent of such publication's content is original
16 and is created or produced by persons receiving compensation for their
17 services from such publication;

18 (iv) the publication employs at least one local news journalist who
19 resides in such county or single area; and

20 (v) the publication employs not greater than two hundred employees.

21 The requirements of clauses (i) through (v) of this subparagraph shall
22 not be treated as met unless such requirements are met at all times

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

LBD08442-01-5

1 during the period beginning on the date which is two years before the
2 effective date of this subsection.

3 (B) In the case of any print or digital publication which is published
4 by any tax exempt organization, such publication shall be treated as a
5 local newspaper only if:

6 (i) the publication of print and digital publications is the primary
7 activity of such organization, and

8 (ii) any person making a charitable contribution to such organization
9 may elect to treat such contribution as an amount paid or incurred for a
10 subscription to which this subsection applies in lieu of treating such
11 contribution as a charitable contribution.

12 § 2. Section 606 of the tax law is amended by adding a new subsection
13 (rrr) to read as follows:

14 (rrr) Newspaper payroll tax credit. (1) General. A taxpayer shall be
15 allowed a credit against the tax imposed by this article for each quar-
16 ter during the taxable year in an amount equal to the applicable
17 percentage of the qualified journalism compensation paid to each indi-
18 vidual for such quarter.

19 (2) Amount of credit. (A) The amount of qualified journalism compen-
20 sation paid with respect to any individual which may be taken into
21 account under paragraph one of this subsection during any quarter during
22 the taxable year by the eligible newspaper employer shall not exceed
23 twelve thousand five hundred dollars.

24 (B) The credit allowed by paragraph one of this subsection with
25 respect to any quarter during the taxable year shall not exceed the
26 applicable employment taxes on the wages paid with respect to the
27 employment of all the employees of the eligible newspaper employer for
28 such quarter.

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

34 (3) Definitions. For purposes of this subsection, the following terms
35 shall have the following meanings:

36 (A) "Applicable percentage" shall mean:

37 (i) for taxable years beginning in two thousand twenty-six, each of
38 the first four quarters during the taxable year to which this subsection
39 applies, fifty percent; and

40 (ii) for taxable years beginning after two thousand twenty-six, each
41 quarter during the taxable year thereafter, thirty percent.

42 (B) "Eligible newspaper employer" shall mean, with respect to any
43 quarter during the taxable year, any employer if: (i) substantially all
44 of the gross receipts of such employer for such quarter are derived from
45 the trade or business of printing or publishing print or digital publi-
46 cations the primary content of which is original content derived from
47 primary sources and relating to news and current events;

48 (ii) at least fifty-one percent of the readers of which reside in:

49 a. a single county within this state; or

50 b. a single area with a two hundred mile radius;

51 (iii) at least fifty percent of such publication's content is original
52 and is created or produced by persons receiving compensation for their
53 services from such publication;

54 (iv) the publication employs at least one local news journalist who
55 resides in such county or single area; and

56 (v) the publication employs not greater than two hundred employees.

1 The requirements of clauses (i) through (v) of this subparagraph shall
2 not be treated as met unless such requirements are met at all times
3 during the period beginning on the date which is two years before the
4 effective date of this subsection.

5 (C) "Qualified journalism compensation" shall mean:

6 (i) wages paid by an eligible newspaper employer to an employee for
7 service as a journalist; and

8 (ii) in the case of remuneration paid to an individual who is not an
9 employee of the employer, such remuneration as would be described in
10 subparagraph (A) of this paragraph if such individual were such an
11 employee.

12 (D) "Journalist" shall mean any individual who regularly gathers,
13 prepares, collects, photographs, records, writes, edits, reports, or
14 publishes news or information that concerns local, national, or interna-
15 tional events or other matters of public interest for dissemination to
16 the public.

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

19 (sss) Local media advertising tax credit. (1) General. A taxpayer
20 determined to be an eligible small business shall be allowed a credit
21 against the tax imposed by this article for any taxable year in an
22 amount equal to the applicable percentage of the qualified local media
23 advertising expenses paid or incurred by such taxpayer during such taxa-
24 ble year.

25 (2) Amount of credit. The credit allowed under paragraph one of this
26 subsection to any taxpayer for any taxable year shall not exceed:

27 (A) for taxable years beginning in two thousand twenty-six, five thou-
28 sand dollars, and

29 (B) for taxable years beginning after two thousand twenty-six, two
30 thousand five hundred dollars.

31 (3) Definitions. For the purposes of this subsection, the following
32 terms shall have the following meanings:

33 (A) "Applicable percentage" shall mean:

34 (i) for taxable years beginning in two thousand twenty-six, eighty
35 percent, and

36 (ii) for taxable years beginning after two thousand twenty-six, fifty
37 percent.

38 (B) "Eligible small business" shall mean any person for any taxable
39 year if the average number of full-time employees employed by such
40 person during such taxable year was less than one thousand employees.

41 (C) "Qualified local media advertising expenses" shall mean amounts
42 paid or incurred in the ordinary course of a trade or business for
43 advertising in a local newspaper as defined in subparagraph (A) of para-
44 graph two of subsection (qqq) of this section or a broadcast of a local
45 radio or television station.

46 (D) "Local radio or television station" shall mean any broadcast radio
47 or television station licensed by the federal communications commission
48 to serve a local community.

49 (4) Denial of double benefit. No deduction shall be allowed for any
50 qualified local media advertising expenses otherwise allowable as a
51 deduction for the taxable year which is equal to the amount of the cred-
52 it determined for such taxable year under paragraph one of this
53 subsection.

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

1 62. Newspaper payroll tax credit. (a) General. A taxpayer shall be
2 allowed a credit against the tax imposed by this article for each quar-
3 ter during the taxable year in an amount equal to the applicable
4 percentage of the qualified journalism compensation paid to each indi-
5 vidual for such quarter.

6 (b) Amount of credit. (1) The amount of qualified journalism compen-
7 sation paid with respect to any individual which may be taken into
8 account under paragraph (a) of this subdivision during any quarter
9 during the taxable year by the eligible newspaper employer shall not
10 exceed twelve thousand five hundred dollars.

11 (2) The credit allowed by paragraph (a) of this subdivision with
12 respect to any quarter during the taxable year shall not exceed the
13 applicable employment taxes on the wages paid with respect to the
14 employment of all the employees of the eligible newspaper employer for
15 such quarter.

16 (3) If the amount of the credit allowed under this subdivision for any
17 taxable year shall exceed the taxpayer's tax for such year, the excess
18 shall be treated as an overpayment of tax to be credited or refunded in
19 accordance with the provisions of section six hundred eighty-six of this
20 chapter, provided, however, that no interest shall be paid thereon.

21 (c) Definitions. For purposes of this subdivision, the following terms
22 shall have the following meanings:

23 (1) "Applicable percentage" shall mean:

24 (i) for taxable years beginning in two thousand twenty-six, each of
25 the first four quarters during the taxable year to which this subdivi-
26 sion applies, fifty percent; and

27 (ii) for taxable years beginning after two thousand twenty-six, each
28 quarter during the taxable year thereafter, thirty percent.

29 (2) "Eligible newspaper employer" shall mean, with respect to any
30 quarter during the taxable year, any employer if: (i) substantially all
31 of the gross receipts of such employer for such quarter are derived from
32 the trade or business of printing or publishing print or digital publi-
33 cations the primary content of which is original content derived from
34 primary sources and relating to news and current events;

35 (ii) at least fifty-one percent of the readers of which reside in:

36 (A) a single county within this state; or

37 (B) a single area with a two hundred mile radius;

38 (iii) at least fifty percent of such publication's content is original
39 and is created or produced by persons receiving compensation for their
40 services from such publication;

41 (iv) the publication employs at least one local news journalist who
42 resides in such county or single area; and

43 (v) the publication employs not greater than two hundred employees.

44 The requirements of clauses (i) through (v) of this subparagraph shall
45 not be treated as met unless such requirements are met at all times
46 during the period beginning on the date which is two years before the
47 effective date of this subdivision.

48 (3) "Qualified journalism compensation" shall mean:

49 (i) wages paid by an eligible newspaper employer to an employee for
50 service as a journalist; and

51 (ii) in the case of remuneration paid to an individual who is not an
52 employee of the employer, such remuneration as would be described in
53 subparagraph one of this paragraph if such individual were such an
54 employee.

55 (4) "Journalist" shall mean any individual who regularly gathers,
56 prepares, collects, photographs, records, writes, edits, reports, or

1 publishes news or information that concerns local, national, or interna-
2 tional events or other matters of public interest for dissemination to
3 the public.

4 § 9. Section 210-B of the tax law is amended by adding a new subdivi-
5 sion 63 to read as follows:

6 63. Local media advertising tax credit. (a) General. A taxpayer deter-
7 mined to be an eligible small business shall be allowed a credit against
8 the tax imposed by this article for any taxable year in an amount equal
9 to the applicable percentage of the qualified local media advertising
10 expenses paid or incurred by such taxpayer during such taxable year.

11 (b) Amount of credit. The credit allowed under paragraph (a) of this
12 subdivision to any taxpayer for any taxable year shall not exceed:

13 (1) for taxable years beginning in two thousand twenty-six, five thou-
14 sand dollars, and

15 (2) for taxable years beginning after two thousand twenty-six, two
16 thousand five hundred dollars.

17 (c) Definitions. For the purposes of this subdivision, the following
18 terms shall have the following meanings:

19 (1) "Applicable percentage" shall mean:

20 (i) for taxable years beginning in two thousand twenty-six, eighty
21 percent, and

22 (ii) for taxable years beginning after two thousand twenty-six, fifty
23 percent.

24 (2) "Eligible small business" shall mean any person for any taxable
25 year if the average number of full-time employees employed by such
26 person during such taxable year was less than one thousand employees.

27 (3) "Qualified local media advertising expenses" shall mean amounts
28 paid or incurred in the ordinary course of a trade or business for
29 advertising in a local newspaper as defined in subparagraph one of para-
30 graph (b) of subdivision sixty-one of this section or a broadcast of a
31 local radio or television station.

32 (4) "Local radio or television station" shall mean any broadcast radio
33 or television station licensed by the federal communications commission
34 to serve a local community.

35 (d) Denial of double benefit. No deduction shall be allowed for any
36 qualified local media advertising expenses otherwise allowable as a
37 deduction for the taxable year which is equal to the amount of the cred-
38 it determined for such taxable year under paragraph (a) of this subdivi-
39 sion.

40 § 10. This act shall take effect immediately and shall apply to taxa-
41 ble years commencing on and after January 1, 2026; provided, however,
42 that the provisions of sections one, three, four, six, seven and nine of
43 this act shall expire on December 31, 2031, when upon such date the
44 provisions of such sections shall be deemed repealed.