

STATE OF NEW YORK

4481

2025-2026 Regular Sessions

IN SENATE

February 5, 2025

Introduced by Sens. ASHBY, WEBER -- 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 an adoption 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 (qqq) to read as follows:

3 (qqq) Adoption tax credit. (1) A resident taxpayer shall be allowed a
4 credit against the tax imposed by this article in an amount equaling
5 fifty percent of the qualified adoption expenses paid during the taxable
6 year in conjunction with such taxpayer's adoption of a child or ten
7 thousand dollars, whichever is less. If the amount of the credit allow-
8 able under this subsection for any taxable year shall exceed the taxpay-
9 er's tax for such year, the excess shall be treated as an overpayment of
10 tax to be credited or refunded in accordance with the provisions of
11 section six hundred eighty-six of this article, provided, however, that
12 no interest shall be paid thereon.

13 (2) For the purposes of this subsection, the term "qualified adoption
14 expenses" shall mean the reasonable and necessary adoption fees, court
15 costs, attorneys' fees, and other expenses that are directly related to
16 the legal adoption of a child.

17 § 2. This act shall take effect immediately and shall apply to taxable
18 years beginning on and after January 1, 2026.

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

LBD08939-01-5