STATE OF NEW YORK

9193

IN SENATE

February 12, 2026

Introduced by Sen. HINCHEY -- 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 increasing tax credits for donations to food pantries by farmers

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

Section 1. Paragraph (a) of subdivision 52 of section 210-B of the tax law, as added by section 4 of part DDD of chapter 59 of the laws of 2017, is amended to read as follows:

(a) General. In the case of a taxpayer that is an eligible farmer, there shall be allowed a credit, to be computed as hereinafter provided against the tax imposed by this article for taxable years beginning on and after January first, two thousand [~~eighteen~~] twenty-eight. The amount of the credit shall be [~~twenty-five~~] fifty percent of the fair market value of the taxpayer's qualified donations made to any eligible food pantry during the taxable year, not to exceed [~~five~~] ten thousand dollars per taxable year. If the taxpayer is a partner in a partnership, then the cap imposed by the preceding sentence shall be applied at the entity level, so that the aggregate credit allowed to all partners of such entity in the taxable year does not exceed [~~five~~] ten thousand dollars.

§ 2. Paragraph 1 of subsection (n-2) of section 606 of the tax law, as added by section 1 of part DDD of chapter 59 of the laws of 2017, is amended to read as follows:

(1) General. In the case of a taxpayer who is an eligible farmer, there shall be allowed a credit, to be computed as hereinafter provided, against the tax imposed by this article for taxable years beginning on and after January first, two thousand [~~eighteen~~] twenty-eight. The amount of the credit shall be [~~twenty-five~~] fifty percent of the fair market value of the taxpayer's qualified donations made to any eligible food pantry during the taxable year, not to exceed [~~five~~] ten thousand dollars per taxable year. If the taxpayer is a partner in a partnership or a shareholder of a New York S corporation, then the cap imposed by the preceding sentence shall be applied at the entity level, so that the aggregate credit allowed to all partners or shareholders of such entity in the taxable year does not exceed [~~five~~] ten thousand dollars.

§ 3. This act shall take effect immediately.

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

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