

2007-08 Executive Budget  
21-Day AMENDMENTS  
February 21, 2007

**Amendments to Senate 2110; Assembly 4310  
(Revenue Article VII Bill)**

**Part D**, relating to requiring travel companies that rent hotel rooms over the Internet to collect the sales tax on the markups and service fees charged to customers is amended to:

- Make technical corrections.

**Part H**, relating to the determination of entire net income of corporations under articles 9-A, 32 and 33 of the tax law and chapter 6 of title 11 of the administrative code of the city of New York is amended to:

- Allow banks with taxable assets under \$2 billion to retain tax advantages related to the bank's closely held REIT/RIC.
- Phase out benefits for banks with taxable assets between \$2 and \$2.5 billion.

**Part I**, relating to establishing conditions under which certain corporations would be subject to tax under the corporation franchise tax or the city of New York general corporation tax, and to defining a banking corporation is amended to:

- Clarify that the provisions would not be triggered in the case of a takeover or merger involving the parent bank.
- Clarify that the 40% increase in assets standard would not be triggered if the corporation simply increases its assets in its same line of business.
- Make technical corrections.

**Part J**, relating to conforming Federal rules and the practices of other states with respect to banking corporations that allow certain taxpayers to deduct only bad debts that have actually been written-off (the "direct write-off method") is amended to:

- Make technical corrections.

**Part L**, relating to conforming treatment under the corporate franchise tax, by requiring the add back of expenses related to subsidiary capital under the bank tax, and eliminating the 20 percent reduction in the wage factor portion of the apportionment formula to ensure the bank tax appropriately reflects a bank's presence in New York is amended to:

- Make technical corrections.

**Part O**, relating to requiring a combined report to be filed by corporations under state franchise taxes on business corporations and insurance corporations and the New York City general corporation tax, that have substantial intercorporate transactions is amended to:

- Retain current law for taxpayers voluntarily filing combined returns.

**Part V**, relating to an addition to federal taxable income and federal adjusted gross income is amended to:

- Clarify the effective date to ensure that the amendments in the Budget bill would survive any repeal and reversion of the relevant subdivision (4).