Amend Senate S6359, Assembly A8559, A BUDGET BILL, AN ACT to amend the tax law, the general municipal law, the urban development corporation act, the business corporation law, the general associations law, and the administrative code of the city of New York, in relation to reforming taxation of business corporations .…

Page	Line	Amendment
Page 1,	Unnumbered line 15 (AN ACT CLAUSE),	After "laws of 2006," insert "amending the tax law"
Page 5,	Line 30,	After "section 1 of" strike out "LBD number 74021-03-4" and insert "Part R of this act, subdivisions 20(a) and 21 as added by section of part T of this act"
Page 6,	Line 52,	After "subdivision" strike out "five" and insert "three"
Page 8,	Between Lines 42 and 43,	Insert "(e) Other exempt income shall not include any amount treated as dividends pursuant to section 78 of the internal revenue code."
Page 16,	Between Lines 33 and 34,	Insert "(20-a) The amount of any federal deduction for the excise tax on telecommunication services to the extent such taxes are used as the basis of the calculation of the tax-free NY area excise tax on telecommunication services credit allowed under subdivision [forty-eight] forty-four of section two hundred [ten] ten-B of this article. (21) The amount of any federal deduction for real property taxes to the extent such taxes are used as the basis of the calculation of the real property tax credit for manufacturers allowed under subdivision [forty-eight] forty-three of section two hundred [ten] ten-B of this article."
Page 27,	Line 48 and 49,	After "pursuant to" insert "[" and after "four of" insert "]"
Page 27	Line 49,	After "hundred" insert "[" and after "eleven" insert "] ten-c"
Page 32,	Line 41,	After "loan" insert " or a residential mortgage loan" and after "of" strike out "the" and insert "where"
Page 32,	Line 42,	After "less," strike out "where" and insert "and"
Page 32,	Lines 44 and 45,	After "property" strike out "located in New York"
Page 34,	Line 15,	After "2," insert "2-a,"

Page 34,	Line 17,	After "1998," insert "subdivision 2-a as added by chapter 340 of the laws of 1998,"
Page 34,	Line 18,	After "of" strike out "LBD number 74023-03-4" and insert "part S of this act"
Page 34,	Line 44,	After "cle." Insert "For purposes of this paragraph, receipts from processing credit card transactions for merchants include merchant discount fees received by the corporation."
Page 34,	Lines 54 through 56,	After "more." strike out "For purposes of this paragraph, receipts from processing credit card transactions for merchants include merchant discount fees received by the"
Page 35	Line 1,	Before "As used" strike out "corporation."
Page 35,	Line 1,	After "in this" strike out "paragraph" and insert "subdivision"
Page 36,	Between Lines 8 and 9,	Insert "2-a. An alien corporation shall not be deemed to be doing business, employing capital, owning or leasing property, or maintaining an office in this state, for the purposes of this article, if its activities in this state are limited solely to (a) investing or trading in stocks and securities for its own account within the meaning of clause (ii) of subparagraph (A) of paragraph (2) of subsection (b) of section eight hundred sixty-four of the internal revenue code or (b) investing or trading in commodities for its own account within the meaning of clause (ii) of subparagraph (B) of paragraph (2) of subsection (b) of section eight hundred sixty-four of the internal revenue code or (c) any combination of activities described in paragraphs (a) and (b) of this subdivision. An alien corporation that has no effectively connected income for the taxable year pursuant to clause (iv) of the opening paragraph of subdivision nine of section two hundred eight of this article shall not be subject to tax under this article for that taxable year. For purposes of this subdivision, an alien corporation is a corporation organized under the laws of a country, or any political subdivision thereof, other than the United States."
Page 38,	Line 37,	After "section." insert "For purposes of this paragraph, receipts from processing credit card transactions for merchants include merchant discount fees received by the corporation."
Page 38,	Lines 49	After "or more." strike out "For purposes of

	through 51,	this paragraph, receipts from processing credit card transactions for merchants include merchant discount fees received by the corporation."
Page 41,	Line 2,	After "2007," strike out "subparagraphs" and insert "subparagraph"
Page 41,	Line 2,	After "2" strike out "and 3"
Page 41	Line 3,	After "of" strike out "LBD number 74021-03-4" and insert "Part R of this act"
Page 41,	Line 6,	After "(vi)" strike out "and (vii)" and after "amended" insert "and subparagraph (vii) of paragraph (a) as added"
Page 41,	Line 7,	After "section 16 of" strike out "LBD number 74021-03-4" and insert "part R of this act"
Page 41,	Line 20,	After "section 20 of" strike out LBD number 74021-03-4" and insert "Part R of this act"
Page 43,	Line 48,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article,"
Page 44,	Line 9,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article,"
Page 45,	Line 28,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision [twelve] one of [this] section two hundred ten-B of this article,"
Page 46,	Line 13,	After "subdivision," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as

		defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section,"
Page 47,	Line 26,	Before "Otherwise" insert "["
Page 47,	Line 27,	After "table:" insert "]"
Page 47,	Line 30,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision one of section two hundred ten-B of this article, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision one of section two hundred ten-B of this article,"
Page 48,	Line 29,	Before "$25,000,000" insert "more than"
Page 49,	Lines 5 and 6,	After "in" strike out "subparagraph (vi) of paragraph (a) of this" and after "subdivision" insert "fifteen of section two hundred eight of this article, a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section,"
Page 53,	Line 18,	After "of" strike out "LBD number 74039-02-4" and insert "part T of this act"
Page 53,	Line 19,	After "of" strike out "LBD number 74021-03-4" and insert "part R of this act"
Page 53,	Between Lines 20 and 21,	Insert § 15-a. Section 210 of the tax law is amended by adding a new subdivision 3 to read as follows: 3. A corporation that is a partner in a partnership shall compute tax under this article using the aggregate method as defined in the regulations of the commissioner, unless another method for computing such tax is required or allowed by such regulations. Under the aggregate method, a corporation that is a partner in a partnership is viewed as having an undivided interest in the partnership's assets, liabilities, and items of receipts, income, gain, loss and deduction. Under the aggregate method, the corporation that is a partner in a partnership is treated as participating in the partnership's transactions and activities.
Page 54,	Line 1,	After "copyrights," insert "trademarks,"
Page 54,	Line 6,	After "fraction." Insert "A patent,

		copyright, trademark or similar intangible property is used in the state to the extent that the activities thereunder are carried on in the state."
Page 66,	Line 17,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 70,	Line 42,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 73,	Line 46,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 78,	Line 15,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 79,	Line 19,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 80,	Line 24,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 81,	Line 17,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 82,	Line 55,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 83,	Line 9,	After "credited to it" strike out "or" and insert "annually"
Page 85,	Line 53,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 87,	Line 31,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 88,	Line 11,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 88,	Line 24,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 88,	Line 39,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"

Page 88,	Line 52,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 89,	Line 16,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 89,	Line 31,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 89,	Line 46,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 90,	Line 4,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 90,	Line 56,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 91,	Line 14,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 91,	Line 39,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 92,	Line 15,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 93,	Line 3,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 93,	Line 32,	Strike out "thirteen" and insert "fourteen" and after "thousand" strike out "fourteen" and insert "fifteen"
Page 94,	Line 28,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 95,	Line 51,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 96,	Line 27,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 97,	Line 4,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"

Page 97,	Line 19,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 97,	Line 42,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 97,	Line 54,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 98,	Line 12,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 98,	Line 52,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 99,	Line 22,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 100,	Line 2,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 100,	Line 12,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 100,	Line 27,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 101,	Line 8,	After "amount" insert "or if the taxpayer otherwise pays tax based on the fixed dollar minimum amount"
Page 102,	Line 12,	After "computing" strike out "tax" and insert "entire net income"
Page 102,	Line 19,	After "business" insert "with respect to such services rendered within a tax-free NY area"
Page 102,	Line 41,	After "article" insert "or in article thirty-two of this chapter"
Page 102,	Line 52,	After "ten" insert "or article thirty-two"
Page 103,	Line 1,	After "47." Strike out "In" and insert "(a) Except as otherwise provided in paragraph (b) of this subdivision, in"
Page 103,	Between Lines 4 and 5,	Insert "(b) A taxpayer may first claim a credit on an amended report only under the following circumstances: (i) The taxpayer's eligibility for the

		credit or the amount of the credit the taxpayer is allowed is determined by a government agency other than the department. (ii) The information necessary to determine the taxpayer's eligibility for a credit or the amount of the credit allowed is contained in an information return the taxpayer receives after the original return for the taxable year is filed. (iii) The taxpayer is required to file an amended report for a taxable year pursuant to subdivision three of section two hundred eleven of this article and the changes or corrections that necessitate the filing of such amended report impact the taxpayer's eligibility for a credit or the amount of credit that may be claimed in that taxable year."
Page 103,	Line 48,	After "is" strike out "taxable" and insert "subject to franchise tax"
Page 104,	Line 41,	After "the" strike out "rules" and insert "United States Treasury regulations"
Page 104,	Line 52,	After "group." insert "To the extent that a provision of section two hundred ten-B of this article limits a credit to the fixed dollar minimum amount prescribed in paragraph (d) of section two hundred ten of this article, such fixed dollar minimum amount shall be the fixed dollar minimum amount that is attributable to the designated agent of the combined group."
Page 105,	Line 5,	After "apportionment" strike out "fraction" and insert "factor"
Page 116,	Line 32,	After "thousand" strike out "ten" and insert "fourteen"
Page 126,	Lines 13 and 14,	After "section 2 of" strike out "LBD number 74039-02-04" and insert "part S of this act"
Page 138,	Line 12,	After "59" strike out "f" and insert "of"
Page 140,	Line 13,	Before ", and clause" strike out "LBD 74021-03-4" and insert "Part R of this act"
Page 140,	Lines 13 and 14,	After "section 5 of" strike out "LBD number 74039-02-4" and insert "part S of this act"
Page 145,	Between Lines 20 and 21,	Insert "§ 69-a. Section 606 of the tax law is amended by adding a new subsection (yy-1) to read as follows: (yy-1) (1) Except as otherwise provided in paragraph one of this subsection, in any taxable year, a taxpayer must first claim any of the credits specified in this section on its originally filed return for such taxable year. A

		taxpayer shall not first claim a credit on an amended return.
		     (2) A taxpayer may first claim a credit on an amended return only under the following circumstances:
		     (i) The taxpayer's eligibility for the credit or the amount of the credit the taxpayer is allowed is determined by a government agency other than the department.
		     (ii) The information necessary to determine the taxpayer's eligibility for a credit or the amount of the credit allowed is contained in an information return the taxpayer receives after the original return for the taxable year is filed.
		     (iii) The taxpayer is required to file an amended return for a taxable year pursuant to section six hundred fifty-nine of this article and the changes or corrections that necessitate the filing of such amended return impact the taxpayer's eligibility for a credit or the amount of credit that may be claimed in that taxable year."

Page 160,	Line 10,	After "108." strike out "Paragraphs" and insert "Subdivisions"
Page 171,	Lines 17 through 19,	After "without regard to" strike out "the penultimate sentence of such subsection that references section six hundred sixty-seven of such code, and without regard to"
Page 171,	Line 21,	After "year" insert ", except that, in computing the amount to be added under this paragraph, such beneficiary shall disregard income earned by a trust in a taxable year prior to when the beneficiary first became a resident of the state or in any taxable year starting before January 1, 2011"
Page 173,	Lines 13 through 15,	After "without regard to" strike out "the penultimate sentence of such subsection that references section six hundred sixty-seven of such code and without regard to"
Page 173,	Line 17,	After "year" insert ", except that, in computing the amount to be added under this paragraph, such beneficiary shall disregard income earned by a trust in a taxable year prior to when the beneficiary first became a resident of the state or in any taxable year starting before January 1, 2011."
Page 174,	Line 13,	After "income of" insert "a nonresident trust or"
Page 201,	Line 31,	After "that" strike out "the redevelopment starts" and insert "all credits must be claimed"

Page 211,	Line 9,	After "2014." insert "; and provided further, that the amendments made by section 21 of this act relating to the length of time a taxpayer may claim the tangible property credit component shall apply only to sites that are accepted into the brownfield cleanup program on or after July 1, 2014"
Page 212,	Between Lines 51 and 52,	Insert "§2-a. Paragraph (b) of subdivision nine of section two hundred eight of the tax law is amended by adding a new subparagraph (21) to read as follows: (21) The amount of any federal deduction for real property taxes to the extent such taxes are used as the basis of the calculation of the real property tax credit for manufacturers allowed under subdivision forty-eight of section two hundred ten of this article."
Page 213,	Between Lines 53 and 54,	Insert #§4-a. Subsection (b) of section 612 of the tax law is amended by adding a new paragraph 40 to read as follows: (40) The amount of any federal deduction for real property taxes to the extent such taxes are used as the basis of the calculation of the real property tax credit for manufacturers allowed under subsection (xx) of section six hundred six of this article."
Page 221,	Line 46,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section."
Page 222,	Line 35,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section."
Page 223,	Line 31,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section."
Page 223,	Line 48,	After "article," insert "a qualified New

		York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section."
Page 224,	Line 9,	After "article," insert "a qualified New York agricultural business, as defined in clause (C) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section, and a qualified New York mining business, as defined in clause (D) of subparagraph (ii) of paragraph (b) of subdivision twelve of this section."
Page 239,	Between lines 12 and 13,	Insert "§2-a. Paragraph (b) of subdivision nine of section two hundred eight of the tax law is amended by adding a new subparagraph (20-a) to read as follows: (20-a) The amount of any federal deduction for the excise tax on telecommunication services to the extent such taxes are used as the basis of the calculation of the tax-free NY area excise tax on telecommunication services credit allowed under subdivision forty-eight of section two hundred ten of this article."
Page 239,	Line 28,	After "business" insert "with respect to such services rendered within a tax-free NY area"
Page 239,	Line 47,	After "taxpayer" insert "with respect to such services rendered within a tax-free NY area"
Page 240	Between lines 3 and 4,	Insert "§ 5-a. Subsection (b) of section 612 of the tax law is amended by adding a new paragraph (39-a) to read as follows: (39-a) The amount of any federal deduction for the excise tax on telecommunication services to the extent such taxes are used as the basis of the calculation of tax-free NY area excise tax on telecommunication services credit allowed under subsection (xx) of section six hundred six of this article."
Page 246,	Line 44 through 54,	After "(B)", strike out "In the case of any decedent dying on or after January first, two thousand nineteen and before January first, two thousand twenty, the basic exclusion amount in subparagraph (A) of this paragraph for decedents dying on and after April first, two thousand seventeen and before January first, two thousand nineteen shall be increased by an amount equal to:

		(i) such dollar amount, multiplied by (ii) the cost-of-living adjustment, which shall be the percentage by which the consumer price index for the preceding calendar year exceeds the consumer price index for calendar year two thousand twelve. C"
Page 246,	Line 55,	After "two thousand", strike out "twenty" and insert "nineteen"
Page 247,	Line 1,	After "dying", strike out "in the preceding calendar year" and insert "on or after April first, two thousand seventeen and before January first, two thousand nineteen"
Page 247,	Line 3,	After "(i) such" strike out "dollar" and insert "basic exclusion"
Page 247,	Line 6,	After "two thousand" strike out "eighteen" and insert "twelve"
Page 247,	Line 7,	Strike out "(D)" and insert "(C)"
Page 315,	Between lines 17 and 18,	Insert: "§ 3-a. Paragraph (1) of subdivision (f) of section 1105 of the tax law, as amended by section 100 of part A of chapter 389 of the laws of 1997, is amended to read as follows: (1) Any admission charge where such admission charge is in excess of ten cents to or for the use of any place of amusement in the state, except charges for admission to **(i)** race tracks**[**, boxing, sparring or wrestling matches or exhibitions**]** which charges are taxed under any other law of this state, **[**or**]** **(ii)** dramatic or musical arts performances, **[**or**]** **(iii)** live circus performances, or **(iv)** motion picture theaters, and except charges to a patron for admission to, or use of, facilities for sporting activities in which such patron is to be a participant, such as bowling alleys and swimming pools. For any person having the permanent use or possession of a box or seat or a lease or a license, other than a season ticket, for the use of a box or seat at a place of amusement, the tax shall be upon the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by the holder, licensee or lessee, and shall be paid by the holder, licensee or lessee."
Page 325,	Line 52,	after "take effect", strike out "January" and insert "July"
Page 335,	Line 28,	After "by" strike out "June first" and insert "May fifteenth"

Page 335,	Line 36,	After "by" strike out "June first" and insert "May fifteenth"
Page 335,	Line 44,	After "by" strike out "June first" and insert "May fifteenth"
Page 335,	Line 56,	After "before" strike out "July" and insert "June"
Page 338,	Line 4,	After "units" insert "and dependent school districts"
Page 338,	Line 12,	After "by" strike out "June first" and insert "May fifteenth"
Page 338,	Line 22,	After "by" strike out "June first" and insert "May fifteenth"
Page 338,	Line 31,	After "by" strike out "June first" and insert "May fifteenth"
Page 338,	Line 44,	After "before" strike out "July" and insert "June"