

PROGRAM BILL # 12

Legislative Bill Drafting Commission
12044-01-2

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

LABOLA
(Relates to employer participation
in the New York youth jobs program
tax credit program and to estimated
tax payments made by partnerships or
S corporations who have made a pass-
through entity tax election)

Lab. pass through tax est payment

AN ACT

to amend subpart A of part MM of
chapter 59 of the laws of 2022
amending the tax law relating to
pass-through entity tax for electing
resident and standard S corpo-
rations, in relation to estimated
tax payments made by partnerships or
S corporations who have made a pass-
through entity tax election; and to
amend the labor law, in relation to

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s17 Felder	s07 Kaplan	s58 O'Mara	s10 Sanders
s52 Akshar	s59 Gallivan	s26 Kavanagh	s62 Ortt	s23 Savino
s36 Bailey	s05 Gaughran	s63 Kennedy	s01 Palumbo	s32 Sepulveda
s34 Biaggi	s12 Gianaris	s28 Krueger	s21 Parker	s41 Serino
s57 Borrello	s22 Gounardes	s24 Lanza	s19 Persaud	s29 Serrano
s04 Boyle	s47 Griffo	s11 Liu	s13 Ramos	s39 Skoufis
s44 Breslin	s40 Harckham	s50 Mannion	s61 Rath	s16 Stavisky
s25 Brisport	s54 Helming	s42 Martucci	s38 Reichlin-	s45 Stec
s08 Brooks	s46 Hinchey	s02 Mattera	Melnick	s35 Stewart-
s55 Brook	s27 Hoylman	s53 May	s48 Ritchie	Cousins
s30 Cleare	s31 Jackson	s37 Mayer	s33 Rivera	s49 Tedisco
s14 Comrie	s43 Jordan	s20 Myrie	s60 Ryan	s06 Thomas
s56 Cooney	s09 Kaminsky	s51 Oberacker	s18 Salazar	s03 Weik

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a058	a039 Cruz	a034 Gonzalez-	a146 McMahon	a111 Santabarbara
a049 Abbate	a043 Cunningham	Rojas	a137 Meeks	a090 Sayegh
a092 Abinanti	a063 Cusick	a150 Goodell	a017 Mikulin	a099 Schmitt
a031 Anderson	a045 Cymbrowitz	a075 Gottfried	a101 Miller, B.	a076 Seawright
a122 Angelino	a018 Darling	a021 Griffin	a051 Mitaynes	a084 Septimo
a107 Ashby	a053 Davila	a100 Gunther	a015 Montesano	a016 Sillitti
a035 Aubry	a072 De Los Santos	a139 Hawley	a145 Morinello	a052 Simon
a120 Barclay	a003 DeStefano	a083 Heastie	a065 Niou	a114 Simpson
a030 Barnwell	a070 Dickens	a028 Hevesi	a037 Nolan	a005 Smith
a106 Barrett	a054 Dilan	a128 Hunter	a144 Norris	a118 Smullen
a082 Benedetto	a081 Dinowitz	a029 Hyndman	a069 O'Donnell	a022 Solages
a042 Bichotte	a147 DiPietro	a079 Jackson	a091 Otis	a110 Steck
Hermelyn	a009 Durso	a104 Jacobson	a132 Palmesano	a010 Stern
a117 Blankenbush	a048 Eichenstein	a011 Jean-Pierre	a088 Paulin	a127 Stirpe
a098 Brabenec	a004 Englebright	a134 Jensen	a141 Peoples-	a102 Tague
a026 Braunstein	a074 Epstein	a115 Jones	Stokes	a064 Tannousis
a138 Bronson	a109 Fahy	a077 Joyner	a023 Pheffer	a086 Tapia
a020 Brown, E.	a061 Fall	a125 Kelles	Amato	a071 Taylor
a012 Brown, K.	a080 Fernandez	a040 Kim	a089 Pretlow	a001 Thiele
a093 Burdick	a008 Fitzpatrick	a105 Lalor	a073 Quart	a033 Vanel
a085 Burgos	a057 Forrest	a013 Lavine	a019 Ra	a116 Walczyk
a142 Burke	a124 Friend	a097 Lawler	a038 Rajkumar	a055 Walker
a119 Buttenschon	a046 Frontus	a126 Lemondes	a006 Ramos	a143 Wallace
a094 Byrne	a095 Galef	a060 Lucas	a062 Reilly	a112 Walsh
a133 Byrnes	a050 Gallagher	a135 Lunsford	a087 Reyes	a041 Weinstein
a103 Cahill	a131 Gallahan	a123 Lupardo	a078 Rivera, J.	a024 Weprin
a044 Carroll	a007 Gandolfo	a129 Magnarelli	a149 Rivera, J.D.	a059 Williams
a136 Clark	a068 Gibbs	a036 Mamdani	a027 Rosenthal, D.	a113 Woerner
a047 Colton	a002 Giglio, J.A.	a130 Manktelow	a067 Rosenthal, L.	a096 Zebrowski
a140 Conrad	a148 Giglio, J.M.	a108 McDonald	a025 Rozic	a056 Zinerman
a032 Cook	a066 Glick	a014 McDonough	a121 Salka	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 6 copies of memorandum in support (uni-bill).

extending the New York youth jobs
program tax credit

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

1 Section 1. Section 6 of subpart A of part MM of chapter 59 of the
2 laws of 2022, amending the tax law relating to pass-through entity tax
3 for electing resident and standard S corporations, is amended to read as
4 follows:

5 § 6. (a) Notwithstanding section 861 of the tax law as added by
6 section 1 of part C of chapter 59 of the laws of 2021 and amended by
7 section three of this act, the election to be taxed pursuant to article
8 24-A of the tax law for taxable year 2022 must be made by September 15,
9 2022 and the certification to be taxed as an electing resident S corpo-
10 ration for the taxable year 2022, must be made by March 15, 2023 in a
11 manner prescribed by the commissioner.

12 (b) Further for the taxable year 2022, notwithstanding section 864 of
13 the tax law, as added by section 1 of part C of chapter 59 of the laws
14 of 2021, an electing resident S corporation that made its election to be
15 taxed pursuant to article 24-A of the tax law on or before March 15,
16 2022 shall be required to make estimated tax payments on March fifteenth
17 and June fifteenth representing twenty-five percent of the required
18 annual payment as if such electing resident S corporation was an elect-
19 ing standard S corporation. However, all electing resident S corpo-
20 rations shall be required as of September 15, 2022 to have paid seven-
21 ty-five percent of the required annual payment.

22 (c) Further for the taxable year 2022, for an election to be taxed
23 pursuant to article 24-A of the tax law that is made after March 15,
24 2022 and before June 15, 2022 to be valid, the electing partnership or
25 electing S corporation is required to make an estimated tax payment with
26 its election that represents twenty-five percent of the required annual
27 payment.

1 (d) Further for the taxable year 2022, for an election to be taxed
2 pursuant to article 24-A that is made after June 15, 2022 and before
3 September 15, 2022 to be valid, the electing partnership or electing S
4 corporation is required to make an estimated tax payment with its
5 election that represents fifty percent of the required annual payment.

6 § 2. The opening paragraph of subdivision (d) of section 25-a of the
7 labor law, as amended by section 3 of part N of chapter 59 of the laws
8 of 2022, is amended to read as follows:

9 To participate in the program established under this section, an
10 employer must submit an application (in a form prescribed by the commis-
11 sioner) to the commissioner after January first, two thousand twelve but
12 no later than November thirtieth, two thousand twelve for program one,
13 after January first, two thousand fourteen but no later than November
14 thirtieth, two thousand fourteen for program two, after January first,
15 two thousand fifteen but no later than November thirtieth, two thousand
16 fifteen for program three, after January first, two thousand sixteen but
17 no later than November thirtieth, two thousand sixteen for program four,
18 after January first, two thousand seventeen but no later than November
19 thirtieth, two thousand seventeen for program five, after January first,
20 two thousand eighteen but no later than November thirtieth, two thousand
21 eighteen for program six, after January first, two thousand nineteen but
22 no later than November thirtieth, two thousand nineteen for program
23 seven, after January first, two thousand twenty but no later than Novem-
24 ber thirtieth, two thousand twenty for program eight, after January
25 first, two thousand twenty-one but no later than November thirtieth, two
26 thousand twenty-one for program nine, after January first, two thousand
27 twenty-two but no later than November thirtieth, two thousand twenty-two
28 for program ten, after January first, two thousand twenty-three but no

1 later than November thirtieth, two thousand twenty-three for program
2 eleven, after January first, two thousand twenty-four but no later than
3 November thirtieth, two thousand twenty-four for program twelve, after
4 January first, two thousand twenty-five but no later than November thir-
5 tieth, two thousand twenty-five for program thirteen, after January
6 first, two thousand twenty-six but no later than November thirtieth, two
7 thousand twenty-six for program fourteen, and after January first, two
8 thousand twenty-seven but no later than November thirtieth, two thousand
9 twenty-seven for program fifteen. The qualified employees must start
10 their employment on or after January first, two thousand twelve but no
11 later than December thirty-first, two thousand twelve for program one,
12 on or after January first, two thousand fourteen but no later than
13 December thirty-first, two thousand fourteen for program two, on or
14 after January first, two thousand fifteen but no later than December
15 thirty-first, two thousand fifteen for program three, on or after Janu-
16 ary first, two thousand sixteen but no later than December thirty-first,
17 two thousand sixteen for program four, on or after January first, two
18 thousand seventeen but no later than December thirty-first, two thousand
19 seventeen for program five, on or after January first, two thousand
20 eighteen but no later than December thirty-first, two thousand eighteen
21 for program six, on or after January first, two thousand nineteen but no
22 later than December thirty-first, two thousand nineteen for program
23 seven, on or after January first, two thousand twenty but no later than
24 December thirty-first, two thousand twenty for program eight, on or
25 after January first, two thousand twenty-one but no later than December
26 thirty-first, two thousand twenty-one for program nine, on or after
27 January first, two thousand twenty-two but no later than December thir-
28 ty-first, two thousand twenty-two for program ten, on or after January

1 first, two thousand twenty-three but no later than December thirty-
2 first, two thousand [three] twenty-three for program eleven, on or after
3 January first, two thousand twenty-four but no later than December thir-
4 ty-first, two thousand twenty-four for program twelve, on or after Janu-
5 ary first, two thousand twenty-five but no later than December thirty-
6 first, two thousand twenty-five for program thirteen, on or after
7 January first, two thousand twenty-six but no later than December thir-
8 ty-first, two thousand twenty-six for program fourteen, and on or after
9 January first, two thousand twenty-seven but no later than December
10 thirty-first, two thousand twenty-seven for program fifteen. As part of
11 such application, an employer must:

12 § 3. This act shall take effect immediately.