

Restoring Fairness for Retired MCs 2009-2019

**M/C Retirees Tax Credit Parity Act**

OMCE proposals to provide restored pension benefits to MC retirees whose salary increases were withheld in 2009 and 2010 has run into a wall of resistance. These proposals have gained no traction, in part because of the fiscal estimates. Our new approach proposes an annual Tax Credit of 5 percent of one's pension benefit to a maximum of \$3,000 per year for 5 tax years with the ability to do this over a 7 tax year period which allows the opportunity to amend returns back to 2009.

The "draft" of this act is:

"AN ACT to amend the tax law, in relation to establishing a personal income tax credit for certain employees who served in a position or positions in the classified service of the state of New York designated managerial or confidential pursuant to article fourteen of the civil service law

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

Section 1. Section 606 of the tax law is amended by adding a new subsection (ccc) to read as follows:

(ccc) Management/ confidential personal income tax credit.

(1) Allowance of credit. A taxpayer who served in a position or positions in the classified service of the state of New York designated managerial or confidential pursuant to article fourteen of the civil service law and retired between April 1, 2009 and March 31, 2019 and had a salary increase authorized under Chapter 100 of the Laws of 2008 which was withheld for the fiscal years 2009 and 2010 shall be allowed a credit against the tax imposed by this article equal to 5 per cent (5%) of their NYSLRS single option pension benefit not to exceed \$ 3000 annually for 5 years.

(2) Application of credit. Any tax credit not used in the taxable year of 2016 may be carried forward or backwards for ten (10)

calendar years until the full credit has been allowed.

§ 2. This act shall take effect immediately. "