

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
SUBSTANCE OF PROPOSED RULE

Section 671(a)(1), section 1329(a), and section 7 of the Model Local Law contained in section 1340(c) of the Tax Law mandate that employers withhold from employee wages amounts that are substantially equivalent to the amount of New York State personal income tax, City of Yonkers income tax surcharge, and City of Yonkers earnings tax on nonresidents reasonably estimated to be due for the taxable year. The provisions authorize the Commissioner of Taxation and Finance to provide for withholding of these taxes through regulations promulgated by the Commissioner.

This rule repeals Appendixes 10 and 10-A of Title 20 NYCRR and enacts new Appendixes 10 and 10-A of such Title to provide new New York State and City of Yonkers withholding tables and other methods applicable to wages and other compensation paid on or after July 1, 2003. The new tables and other methods reflect the revision of the New York State and City of Yonkers tax tables and the tax table benefit recapture which were enacted by Chapter 62 of the Laws of 2003. This rule also reflects the increases of the New York State and City of Yonkers supplemental withholding tax rates to be applied to supplemental wage payments.