

## NECESSITY

### DEPARTMENT OF TAXATION AND FINANCE

Specific reasons underlying the finding of necessity: Part TT of Chapter 60 of the Laws of 2016 effected an incremental decrease in New York State personal income tax rates, beginning in tax year 2018. This change necessitates revision of both New York State and City of Yonkers withholding tax tables and methods, as the City of Yonkers income tax surcharge is a specified percentage of New York State tax. The rule repeals and adds new New York State and City of Yonkers withholding tables and other methods (Appendixes 10 and 10-A of 20 NYCRR, respectively) to reflect the rate change.

Part C of Chapter 59 of the Laws of 2017 effected changes in New York City personal income tax; this rule implements these changes over a twelve-month period for tax year 2018, rather than the shorter period required for tax year 2017. The rule repeals and adds new New York City withholding tables and other methods (Appendix 10-C of 20 NYCRR).

This rule is being adopted on an emergency basis in accordance with the requirement that rules be adopted and effective as soon as practicable and to ensure that the new withholding tables applicable to wages and other compensation earned on or after January 1, 2018 are effective on that date. The repeal and addition of new Appendixes 10, 10-A and 10-C satisfies the requirement that the withholding rates reflect the full amount of tax liability as accurately as practicable. Failure to repeal and add new Appendixes 10, 10-A and 10-C would result in over-withholding for some taxpayers.