

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

Section 671(a)(1), section 1309, section 1329(a), and section 7 of the Model Local Law contained in section 1340(c) of the Tax Law and section 11-1771(a) of the Administrative Code of the City of New York 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, City of Yonkers earnings tax on nonresidents, and City of New York personal income tax on residents 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 , 10-A and 10-C of Title 20 NYCRR and enacts new Appendixes 10, 10-A and 10-C of such Title to provide new New York State, City of Yonkers, and City of New York withholding tables and other methods applicable to wages and other compensation paid on or after January 1, 2005. The new tables and other methods reflect the revision of the New York State, City of Yonkers, and City of New York tax tables and the tax table benefit recapture in Chapters 62 and 63 of the Laws of 2003 and a New York City local law. Although the City of Yonkers Earnings Tax on Nonresidents withholding tables and other methods are included as part of the new Appendix 10-A, no revision was required for these tables and other methods included therein by the Laws of 2003.