

STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE  
COMMISSIONER OF TAXATION AND FINANCE  
ALBANY, NEW YORK

Pursuant to the authority contained in Tax Law sections 171, subdivision First and 209-B(1) and Section 7 of Part A of Chapter 59 of the Laws of 2014, the Commissioner of Taxation and Finance hereby makes and adopts as an emergency measure and proposes to make and adopt as a permanent rule the following amendments to the New York State Business Corporation Franchise Tax regulations under Tax Law Article 9-A, as published in Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to read as follows:

Section 1. Subchapter A of Title 20 of the Codes, Rules and Regulations of the State of New York is amended to add a new subdivision (g) to section 9-1.2 of Part 9 to read as follows.

(g) The metropolitan transportation business tax surcharge will be computed at the rate of 30 percent of the tax imposed under Tax Law section 209 for taxable years beginning on or after January 1, 2021 and before January 1, 2022. The rate used to compute the metropolitan transportation business tax surcharge, as determined by the commissioner, will remain the same in any succeeding taxable year unless the commissioner, pursuant to the authority contained in Tax Law section 209-B(1)(f), determines a new rate.

Dated: Albany, New York  
December 3, 2020

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Michael R. Schmidt  
Commissioner of Taxation and Finance