

**General**

EITC credit amounts vary by family size and earnings, and phase-out at higher income levels. Federal credit parameters are subject to annual indexation. Taxpayers must file a New York State income tax return to claim the credits.

**New York State EITC**

Sections 606(d) of the Tax Law authorizes the New York State EITC, which began in 1994 and equals 30 percent of the Federal EITC. Taxpayers must reduce their tentative New York State EITC by any Household Credit (HHC) used. The credit is nonrefundable to nonresidents, and refundable for full-and-part-year residents.

Tax Years	Percentage of Federal Credit Allowed
2003-Present	30.0
2002	27.5
2001	25.0
2000	22.5
1996-1999	20.0
1995	10.0
1994	7.5

Note: Credit varies by number of children. Phase-out range varies by filing status.

**New York City EITC**

Section 1301(f) of the Tax Law authorizes the New York City EITC, which began in 2004 and equals 5 percent of the Federal credit. The credit is refundable for full-and-part-year residents.

**New York State Noncustodial Parent EITC**

Section 606(d-1) of the Tax Law authorizes the New York State Noncustodial Parent EITC, which began in 2006 and is refundable. The credit is only available to full-year residents. Taxpayers cannot claim both the New York State EITC and the Noncustodial Parent EITC.

The Noncustodial Parent EITC is equal to the greater of:

- a) 20 percent of the Federal EITC that the taxpayer would otherwise be able to claim for one qualifying child as a custodial parent or,
- b) 2.5 times the Federal EITC for taxpayers without qualifying children.