

New York State Department of Taxation and Finance
Taxpayer Services Division
Technical Services Bureau

TSB-M-90 (15) C
Corporation Tax
January 31, 1991

Extension of Metropolitan Business Tax Surcharge
Articles 9, 9A, 32 and 33

Chapter 945 of the Laws of 1990 amends Sections 183-a, 184-a, 186-b, 186-c, 209-B, 1455-B and 1505-a of the Tax Law to extend the Metropolitan Business Tax Surcharge an additional two years. This additional period will encompass calendar years 1990 and 1991, fiscal years 1990-1991 and 1991-1992, or short periods ending before December 31, 1992. The surcharge rate will be 17% for all sections of the Tax Law amended by Chapter 945 of the Laws of 1990.

The Metropolitan Business Tax Surcharge will be imposed on corporations doing business in the Metropolitan Commuter Transportation District. The Metropolitan Commuter Transportation District consists of the counties of New York, Bronx, Kings, Queens, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester.

Sections 183-a and 184-a extend the tax surcharge on transportation and transmission corporations doing business in the Metropolitan Commuter Transportation District. Since Section 183 is an advance tax, the surcharge due under Section 183-a is computed on the preceding years Section 183 tax. The surcharge computed under Section 184-a is computed on the current year's tax computed under Section 184. See TSB-M-83(2)C for additional details regarding the computation of the Metropolitan Business Tax Surcharge on Transportation and Transmission Corporations taxable under Section 183 and 184 of Article 9 of the Tax Law.

Section 186-b extends the tax surcharge on utility corporations taxable under Section 186 and doing business in the Metropolitan Commuter Transportation District. See TSB-M-83(3)C for additional details on the Metropolitan Transportation Business Tax Surcharge on waterworks, gas, electric, steam heating, lighting or power corporations taxable under Section 186 of Article 9 of the Tax Law.

Section 186-c extends the tax surcharge on utilities taxable under Section 186-a and doing business in the Metropolitan Commuter Transportation District. Any Section 186-a taxpayer which is allowed the Article 13-A utility tax credit, must add this credit back to tax before it computes the surcharge. See TSB-M-83(4)C for additional details on the Metropolitan Transportation Business Tax Surcharge on utilities taxable under Section 186-a of the Tax Law.

Section 209-B extends the tax surcharge on corporations, except New York S corporations, taxable under Article 9-A of the Tax Law and doing business in the Metropolitan Commuter Transportation District. See TSB-M-83(5)C for any additional details on the Metropolitan Business Tax Surcharge on corporations taxable under Article 9-A of the Tax Law. See TSB-M-90(11)C for information regarding New York S corporations.

Section 1455-B of the Tax Law extends the tax surcharge on banking corporations taxable under Article 32 of the Tax Law and doing business in the Metropolitan Commuter Transportation District. See TSB-M-83(6)C for additional details on the Metropolitan Transportation Business Tax Surcharge on banking corporations taxable under Article 32 of the Tax Law.

Section 1505-a of the Tax Law extends the tax surcharge on insurance corporations taxable under Article 33 of the Tax Law and doing business in the Metropolitan Commuter Transportation District. See TSB-M-83(7)C for additional details on the Metropolitan Transportation Business Tax Surcharge on insurance corporations taxable under Article 33 of the Tax Law.

Sections 183-a, 184-a, 186-b, 209-B, 1455-B and 1505-a provide the 17% Metropolitan Business Tax Surcharge will be computed on tax after the deduction of all tax credits. Section 186-c provides the 17% Metropolitan Business Tax Surcharge will be computed on tax after credits, except the Article 13-A utility tax credit.

Chapter 945 of the Laws of 1990 shall take effect immediately.