

Taxability of Social Security

1984 Legislation

Chapter 71 of the laws of 1984 has added a new Paragraph (3-b) to Section 612(c) of Article 22 of the Tax Law.

Social security benefits and tier 1 railroad retirement benefits that were included in federal adjusted gross income must be subtracted in order to arrive at New York adjusted gross income.

Individuals who have filed their 1st quarter estimated tax payment, and included taxable social security and/or tier 1 railroad retirement benefits in their calculation, may wish to recompute their 2nd quarter payment to exclude these benefits. An amendment to an original declaration must be reported on the Installment Payment Voucher in the space provided. For further information on filing an amended declaration of estimated tax, see the instructions for Estimated Income Tax.

The Administrative Code of the City of New York, Title T, has been correspondingly amended to add a new paragraph (3-b) to section T46-112.0(c).

The above amendments are effective for payments received after December 31, 1983, in taxable years ending after such date.