

STATEMENT IN LIEU OF A REGULATORY  
FLEXIBILITY ANALYSIS FOR SMALL  
BUSINESSES AND LOCAL GOVERNMENTS

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not being submitted with this rule because this rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments. (See Number 4 of Regulatory Impact Statement.) Several policies of the Department that are being codified by the amendments are beneficial to empire zone certified businesses that are small businesses. There are approximately 3800 empire zone certified businesses in the State. The number, out of this number, that are small businesses is not readily ascertainable.

The purpose of these amendments is to eliminate obsolete and statutory material within the Business Corporation Franchise Tax, Franchise Tax on Banking Corporations, Franchise Taxes on Insurance Corporations and New York State Personal Income Tax regulations, relating to the empire zone wage tax credit. The rule also eliminates regulations that closely parallel other regulation language and updates the regulations to reflect existing Department policy for the credit.