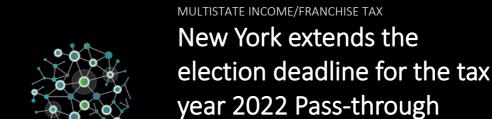
# Deloitte.

Deloitte Tax LLP | May 13, 2022



Tax Alert

## Overview

On May 6, 2022, New York Governor Kathy Hochul signed <u>Senate Bill 8948</u> into law, which includes amendments (the "Amendments") to certain provisions enacted in New York's 2022-2023 Budget Act ("the Budget Act") specific to New York State's Pass-through Entity Tax ("NYS PTET").

Entity Tax to September 15

The Budget Act, including <u>Senate Bill S8009C/Assembly Bill A9009C</u>, was signed into law on April 9, 2022. See the previously issued <u>Tax Alert</u> from April 27, 2022 for more details regarding the Budget Act.

This Tax Alert summarizes some of the provisions in the Amendments.

## Extension of the 2022 NYS PTET election due date

The Amendments extend the 2022 NYS PTET election due date from March 15, 2022 to September 15, 2022 for eligible partnerships and New York S corporations. This is a one-time, six (6) month extension from the statutory March 15<sup>th</sup> deadline required under Article 24-A.

## NYS PTET estimated payment deadlines

The Amendments also clarify estimated tax payment requirements for tax year 2022 based on the extended NYS PTET election date:

- An eligible electing entity that makes a NYS PTET election after March 15, 2022 but before June 15, 2022 is required to make an estimated tax payment with its election representing 25% of the required annual payment.
- An eligible electing entity that makes a NYS PTET election after June 15, 2022 but before September 15, 2022 is required to make an estimated tax payment with its election representing 50% of the required annual payment.

### Considerations

Eligible entities, including partnerships and New York S corporations, that did not elect into the NYS PTET for 2022 should reconsider whether a 2022 NYS PTET election would be beneficial. Further, New York S corporations with only New York resident partners should evaluate whether a NYS PTET election would benefit their partners given the new option to elect into the NYS PTET as an electing resident S corporation, as enacted by the Budget Act.

#### Get in touch

Jack Trachtenberg
Don Roveto
Dennis O'Toole
Mary Jo Brady
Josh Ridiker
Alyssa Keim
Doran Gittelman

Have a question relating to this or any other pass-through entity tax regime? Reach out to one of our national multistate pass-through entity tax specialists.

Todd Hyman
Greg Bergmann
Roburt Waldow
Shirley Wei
Hernan Stigliano
Andrew Cardaci
Dan Daly
Jason Kang
Fiona Pan
Amanda Sterling
Alyssa Keim
Olivia Schulte
George Yu







#### Deloitte.com | Unsubscribe | Manage email preferences | Legal | Privacy

30 Rockefeller Plaza New York, NY 10112-0015 United States

This alert contains general information only and Deloitte is not, by means of this alert, rendering accounting, business, financial, investment, legal, tax, or other professional advice or services. This alert is not a substitute for such professional advice or services, nor should it be used as a basis for any decision or action that may affect your business. Before making any decision or taking any action that may affect your business, you should consult a qualified professional advisor. Deloitte shall not be responsible for any loss sustained by any person who relies on this alert.

As used in this document, "Deloitte" means Deloitte Tax LLP, a subsidiary of Deloitte LLP. Please see <a href="https://www.deloitte.com/us/about">www.deloitte.com/us/about</a> for a detailed description of our legal structure. Certain services may not be available to attest clients under the rules and regulations of public accounting.

Copyright © 2022 Deloitte Development LLC. All rights reserved.