NYC -9.10
Department of Finance

CLAIM FOR BIOTECHNOLOGY CREDIT APPLIED TO BUSINESS AND GENERAL CORPORATION TAXES

2023

ATTACH TO FORM NYC-2, NYC-2A, NYC-3L OR NYC-3A

YOU MUST ATTACH YOUR CERTIFICATE OF ELIGIBILITY TO THIS FORM. NO CREDIT WILL BE ALLOWED WITHOUT THE CERTIFICATE.

For CALENDAR YEAR 2023 or FISCAL YEAR beginning _____ 2023 and ending _____

Name as shown on NYC-2, NYC-2A, NYC-3L or NYC-3A:

Corporation tax year for which claim is made. Date ended: _____ MONTH _____ YEAR

EMPLOYER IDENTIFICATION NUMBER

FEDERAL BUSINESS CODE

COMPUTATION OF CREDIT

1. Available Credit.	**1.**	
2. Enter your Business Corporation Tax or General Corporation Tax from Form NYC-2, Sch. A, line 4 or Form NYC-2A, Sch. A, line 6; Form NYC-3L, Sch. A, line 6 or Form NYC-3A, Sch. A, line 8.	**2.**	
3. Tax Credits claimed before Biotechnology Credit	**3.**	
4. Subtract line 3 from line 2.	**4.**	
5. Enter the fixed dollar minimum tax (from Form NYC-2, Sch. A, line 3 or Form NYC-2A, Sch. A, sum of lines 3 and 5; Form NYC-3L, Sch. A, line 4 or Form NYC-3A, Sch. A, sum of lines 4 and 7)	**5.**	
6. Limitation - Subtract line 5 from line 4. If line 5 is greater than line 4, enter “0” on line 6.	**6.**	
7. Enter the lesser of line 1 and line 6.	**7.**	
8. Amount of unused credit to be refunded or credited (line 1 less line 7).	**8.**	
9. Add lines 7 and 8 (enter here and Form NYC-2, Sch. A, line 10 or Form NYC-2A, Sch. A, line 12; Form NYC-3L, Sch. A, line 10b or Form NYC-3A, Sch. A, line 12b	**9.**	

INSTRUCTIONS

GENERAL INFORMATION

Section 11-604(21) of the New York City Administrative Code provides a refundable biotechnology credit with respect to the General Corporation Tax for tax years beginning on or after January 1, 2023 and before January 1, 2026 to certain emerging technology companies for certain costs and expenses incurred. Section 11-654(21) of the New York City Administrative Code provides a corresponding refundable biotechnology credit with respect to the Business Corporation Tax for tax years beginning on or after January 1, 2023 and before January 1, 2026.

In order to qualify for the credit, the taxpayer must:

1. meet the eligibility criteria as specified in the above Administrative Code sections and
2. must have applied for the credit and received a Certificate of Eligibility specifying the amount of credit the taxpayer is entitled to claim.

The Certificate of Eligibility covering expenses incurred in calendar year 2023 will indicate the credit available for the tax year that includes December 31, 2023.

Example: Taxpayer A files on a fiscal year basis with a tax year beginning April 1, 2023 and ending March 31, 2024. A Certificate of Eligibility issued on or before February 15, 2024 will indicate the credit that may be claimed on the return covering the tax year ending March 31, 2024.

SPECIFIC LINE INSTRUCTIONS

Line 1 - Enter the amount of the credit to which the taxpayer is entitled to claim as indicated on the Certificate of Eligibility on Line 1 of this form.

Line 3 - Enter the total amounts of credits claimed on Form NYC-2, Sch. A, lines 5, 7, 8, 9, 11a and 11b or Form NYC-2A, Sch. A, lines 7, 9, 10, 11, 13a and 13b; Form NYC-3L, Sch. A, lines 7, 9a, 9b, 10a, 10c and 10d or Form NYC-3A, Sch. A, lines 9, 11a, 11b, 12a, 12c and 12d.