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"New York's SALT Cap Challenge Rejected by Supreme Court"

Peter Lowy quoted in article on "New York's SALT Cap Challenge Rejected by Supreme Court"

Bloomberg
April 18, 2022

In a recent Bloomberg article, published on April 18 2022, Pete Lowy, shareholder and Co-Chair of Chamberlain Hrdlickas SALT practice, commented on the Supreme Court denying the request from New York, New Jersey, Maryland, and Connecticut to review a decision of the U.S. Court of Appeals for the Second Circuit, regarding the \$10,000 cap on state and local tax deductions. The appeals court rejected several state legal arguments against the cap, including that it unconstitutionally coerces the states to abandon their preferred fiscal policies.

When the SALT cap was enacted, there was not serious debate over its constitutionality, Lowy said. Even so, several high-cost Democratic states that claimed to be targeted by the cap challenged it anyway, he said, with their best chance coming when they had home-field advantage in the district court and the Second Circuit with the case heard before Democratic-appointed judges.

Once those judges uniformly rejected the challenge, it was a long shot that the current composition of the Supreme Court would take the case and change the outcome, Lowy added.

To learn more, read the full article [here](#).

Lowy previously addressed the SALT cap in the following articles on Chamberlain Hrdlickas SALT Blog:

- The SALT Cap Conundrum
- Court Rejects SALT Cap Constitutional Challenge
- The History of the SALT Deduction