

285--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to prohibiting the use of lottery funds for any purpose other than education

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 92-c of the state finance law, as
2 amended by chapter 913 of the laws of 1977, is amended to read as
3 follows:
4 3. The moneys in such fund shall be appropriated or transferred only
5 FOR PROVIDING AID TO ELEMENTARY AND SECONDARY EDUCATION AND FOR THE
6 PURPOSE OF PROVIDING AID TO PUPILS WITH SPECIAL EDUCATIONAL NEEDS AS
7 DEFINED IN PARAGRAPH E OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED
8 TWO OF THE EDUCATION LAW, AND PUPILS WITH HANDICAPPING CONDITIONS
9 RECEIVING STATE FINANCIAL SUPPORT FOR PROGRAMS DELINEATED IN PARAGRAPH F
10 OF SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO, ARTICLE
11 EIGHTY-THREE, ARTICLE EIGHTY-FIVE, ARTICLE EIGHTY-SEVEN, ARTICLE EIGHT-
12 Y-EIGHT, ARTICLE EIGHTY-NINE, AND ARTICLE FORTY OF THE EDUCATION LAW,
13 AND THE PURPOSE OF PROVIDING AID TO ALL SCHOOL CHILDREN PURSUANT TO THE
14 PROVISIONS OF SUBDIVISION FOUR OF THIS SECTION; AND SHALL NOT BE CO-MIN-
15 GLED WITH FUNDS DESIGNATED FOR ANY OTHER PURPOSE, EXCEPT (i) for repay-
16 ment of first instance expenditures incurred in the operation of the
17 state lottery, AND (ii) [for the state fiscal year commencing April
18 first, nineteen hundred seventy-six only for the purpose of providing
19 aid to pupils with special educational needs as defined in paragraph e
20 of subdivision one of section thirty-six hundred two of the education
21 law, and pupils with handicapping conditions receiving state financial
22 support for programs delineated in paragraph f of subdivision one of

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 section thirty-six hundred two, article eighty-three, article eighty-
2 five, article eighty-seven, article eighty-eight, article eighty-nine,
3 article forty and subdivision seventeen of section thirty-six hundred
4 two of the education law, and for any state fiscal year commencing after
5 such nineteen hundred seventy-six fiscal year for the purpose of provid-
6 ing aid to all school children pursuant to the provisions of subdivision
7 four of this section, (iii) for elementary and secondary education,
8 (iv)] for expenditures for machines or other capital equipment which the
9 division of the lottery is authorized to purchase for the operation of
10 the lottery[and (v) for payment in the state fiscal years commencing
11 April first, nineteen hundred seventy-seven, nineteen hundred seventy-
12 eight and nineteen hundred seventy-nine into the winter sports education
13 trust fund, as created in section four hundred ninety-five-a of article
14 ten-C of the education law, for the purposes of such fund in accordance
15 with the provisions of subdivision five of this section. Payments into
16 such trust fund shall discontinue at such time as the sum of one hundred
17 million dollars, in the aggregate, has been paid into such fund or upon
18 March thirty-first, nineteen hundred eighty, whichever event occurs
19 first]. Nothing herein shall prohibit the purchase of machines or other
20 capital equipment from funds appropriated for expenditures under para-
21 graph (i) [hereof] OF THIS SUBDIVISION.

22 S 2. This act shall take effect on the thirtieth day after it shall
23 have become a law and shall apply to revenues collected as a result of
24 the New York state lottery for education occurring on or after such
25 date.