

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for leukemia, lymphoma and myeloma research, education and treatment and establishing the leukemia research, education and treatment fund

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

1 Section 1. The public health law is amended by adding a new article
2 27-CCC to read as follows:

3 ARTICLE 27-CCC

4 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM
5 SECTION 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
6 TREATMENT.

7 S 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
8 MENT. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT A PROGRAM
9 TO PROMOTE RESEARCH, EDUCATION AND TREATMENT REGARDING LEUKEMIA, LYMPHO-
10 MA AND MYELOMA. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMIS-
11 SIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

12 1. TO PROMOTE RESEARCH, EDUCATION AND TREATMENT PROGRAMS DESIGNED TO
13 REDUCE OR PREVENT THE INCIDENCE AND SEVERITY OF LEUKEMIA, LYMPHOMA AND
14 MYELOMA;

15 2. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OR OTHER FUNDS OR APPROPRI-
16 ATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES SUBJECT TO LIMITATIONS AS
17 TO THE APPROVAL OF EXPENDITURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS
18 BY THE STATE FINANCE LAW; AND

19 3. TO ENTER INTO CONTRACTS WITHIN THE AMOUNTS AVAILABLE THEREFOR AS
20 MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

21 S 2. The tax law is amended by adding a new section 209-H to read as
22 follows:

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

LBD00530-01-1

1 S 209-H. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
2 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
3 ARY FIRST, TWO THOUSAND THIRTEEN, A TAXPAYER IN ANY TAXABLE YEAR MAY
4 ELECT TO CONTRIBUTE TO THE SUPPORT OF THE LEUKEMIA, LYMPHOMA AND MYELOMA
5 RESEARCH, EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN
6 ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX
7 OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE
8 CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIB-
9 UTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES
10 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA,
11 LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND SHALL BE
12 USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-KKKK OF
13 THE STATE FINANCE LAW.

14 S 3. The tax law is amended by adding a new section 630-c to read as
15 follows:

16 S 630-C. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
17 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
18 ARY FIRST, TWO THOUSAND THIRTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY
19 ELECT TO CONTRIBUTE TO THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH,
20 EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE
21 DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH
22 INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME
23 TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITH-
24 STANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO
25 THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA, LYMPHOMA AND MYELOMA
26 RESEARCH, EDUCATION AND TREATMENT FUND AND USED ONLY FOR THOSE PURPOSES
27 ENUMERATED IN SECTION NINETY-SEVEN-KKKK OF THE STATE FINANCE LAW.

28 S 4. The state finance law is amended by adding a new section 97-kkkk
29 to read as follows:

30 S 97-KKKK. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
31 TREATMENT FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF
32 THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL
33 FUND TO BE KNOWN AS THE "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCA-
34 TION AND TREATMENT FUND".

35 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
36 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO
37 HUNDRED NINE-H AND SECTION SIX HUNDRED THIRTY-C OF THE TAX LAW AND ALL
38 OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY
39 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION
40 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE
41 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO
42 THE FUND ACCORDING TO LAW.

43 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LEUKEMIA, LYMPHOMA
44 AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS. AS USED IN THIS
45 SECTION, "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
46 MENT PROJECTS" MEANS RESEARCH, EDUCATION AND TREATMENT PROJECTS, INCLUD-
47 ING GRANTS FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
48 TREATMENT, WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SEVEN
49 OF THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH.
50 SUCH GRANTS MAY INCLUDE, AMONG OTHERS, GRANTS TO PUBLIC AND PRIVATE
51 HOSPITALS, MEDICAL CENTERS, MEDICAL SCHOOLS AND OTHER ORGANIZATIONS.

52 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
53 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
54 OF HEALTH.

1 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE
2 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
3 END OF THAT FISCAL YEAR.
4 S 5. This act shall take effect immediately and shall apply to taxable
5 years commencing on or after January 1, 2013.