

1378

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. MONTGOMERY, HASSELL-THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law and the state finance law, in relation to providing a tax check-off box on personal income tax return forms for gifts to the school-based health centers fund

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

1 Section 1. The tax law is amended by adding a new section 630-c to
2 read as follows:
3 S 630-C. GIFT FOR SCHOOL-BASED HEALTH CENTERS. EFFECTIVE FOR ANY TAX
4 YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN, AN
5 INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE
6 SCHOOL-BASED HEALTH CENTERS FUND. SUCH CONTRIBUTION SHALL BE IN ANY
7 WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY
8 SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL
9 INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. THE
10 COMMISSIONER SHALL ALSO ENSURE THAT A DESCRIPTION OF A SCHOOL-BASED
11 HEALTH CENTER IS INCLUDED WITHIN THE TAX FORM PREPARATION INSTRUCTION
12 BOOKLET. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES
13 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE SCHOOL-BASED
14 HEALTH CENTERS FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN
15 SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.
16 S 2. The state finance law is amended by adding a new section 81 to
17 read as follows:
18 S 81. SCHOOL-BASED HEALTH CENTERS FUND. 1. THERE IS HEREBY ESTABLISHED
19 IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE COMMISSIONER OF HEALTH,
20 A SPECIAL FUND TO BE KNOWN AS THE "SCHOOL-BASED HEALTH CENTERS FUND".
21 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE
22 PROVISIONS OF SECTION SIX HUNDRED THIRTY-C OF THE TAX LAW, AND ALL OTHER

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

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1 MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER
2 FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL PREVENT
3 THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF
4 THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND
5 ACCORDING TO LAW.

6 3. MONIES OF THE FUND SHALL BE EXPENDED TO FUND EXPANSION OF MEDICAL
7 SERVICES AT EXISTING SCHOOL-BASED HEALTH CENTERS OR TO ESTABLISH NEW
8 SCHOOL-BASED HEALTH CENTERS.

9 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
10 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
11 OF HEALTH.

12 5. AMOUNTS EXPENDED FOR SCHOOL-BASED HEALTH CENTERS PURSUANT TO THIS
13 SECTION SHALL NOT AFFECT THE AMOUNT THAT WOULD OTHERWISE BE APPROPRIATED
14 FOR SCHOOL-BASED HEALTH CENTERS UNDER ANY OTHER PROVISION OF LAW.

15 6. MONEYS FROM THE FUND SHALL BE AVAILABLE TO SCHOOL-BASED HEALTH
16 CENTERS APPROVED TO OPERATE BY THE DEPARTMENT OF HEALTH FOR THE
17 PROVISION OF SERVICES AUTHORIZED BY SUCH DEPARTMENT.

18 SERVICES SHALL BE PROVIDED ON-SITE BY A MULTI-DISCIPLINARY TEAM
19 CONSISTING OF A MID-LEVEL PRACTITIONER, A MENTAL HEALTH COUNSELOR, AND A
20 MEDICAL ASSISTANT IN CONSULTATION WITH A PHYSICIAN. THE CENTERS SHALL
21 ALSO PROVIDE ACCESS TO HEALTH CARE TWENTY-FOUR HOURS PER DAY, SEVEN DAYS
22 PER WEEK.

23 S 3. This act shall take effect immediately.