

723

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. AVELLA, PERALTA -- 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, in relation to authorizing the creation of
the community group assistance lottery game; and to amend the state
finance law, in relation to establishing the community grant fund

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

1 Section 1. The tax law is amended by adding a new section 1621 to read
2 as follows:
3 S 1621. COMMUNITY GROUPS ASSISTANCE LOTTERY GAME. A. THE DIRECTOR OF
4 THE DIVISION OF THE LOTTERY SHALL DEVELOP AND IMPLEMENT NO MORE THAN TWO
5 SCRATCH-OFF LOTTERY GAMES WHOSE REVENUE, AFTER PAYMENT FOR PRIZES AND
6 ASSOCIATED ADMINISTRATIVE COSTS OF SUCH GAMES, SHALL BE DEPOSITED IN THE
7 COMMUNITY GRANT FUND AS ESTABLISHED IN SECTION NINETY-SEVEN-LLLL OF THE
8 STATE FINANCE LAW. THIS LOTTERY GAME SHALL BE MARKETING AND DISTRIBUTED
9 IN THE SAME MANNER AS ALL LOTTERY GAMES CONTROLLED BY THE DIVISION OF
10 THE LOTTERY. THIS SECTION SHALL NOT DIMINISH ANY EFFORTS OR FUNDING FOR
11 OTHER LOTTERY GAMES UNDER THE CONTROL OF THE DIVISION OF THE LOTTERY.
12 EACH TICKET SHALL CLEARLY STATE THAT ALL PROCEEDS FROM TICKET SALES GO
13 TOWARDS THE COMMUNITY GRANT FUND.
14 B. THE DIVISION OF THE LOTTERY SHALL ESTABLISH AND BEGIN SELLING TICK-
15 ETS AS REQUIRED BY THIS SECTION NO LATER THAN DECEMBER THIRTY-FIRST, TWO
16 THOUSAND THIRTEEN.
17 S 2. The state finance law is amended by adding a new section 97-llll
18 to read as follows:
19 S 97-LLLL. COMMUNITY GRANT FUND. 1. THE COMMUNITY GRANT FUND IS ESTAB-
20 LISHED IN THE SOLE CUSTODY OF THE STATE COMPTROLLER. MONIES IN THE FUND
21 SHALL BE KEPT SEPARATE AND NOT COMMINGLED WITH OTHER FUNDS IN THE CUSTO-
22 DY OF THE COMPTROLLER.

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

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1 2. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR COSTS ASSOCIATED WITH
2 ASSISTANCE FOR COMMUNITY GROUPS ORGANIZED PURSUANT TO PARAGRAPH THREE OR
3 FOUR OF SUBDIVISION (C) OF SECTION FIVE HUNDRED ONE OF THE INTERNAL
4 REVENUE CODE OF NINETEEN HUNDRED EIGHTY-SIX, AS AMENDED, ADMINISTERING
5 EDUCATIONAL, RECREATIONAL, CULTURAL, SENIOR, VETERANS OR SOCIAL SERVICES
6 PROGRAMS OR PROVIDING VOLUNTEER AMBULANCE SERVICES. MONIES SHALL BE
7 AVAILABLE TO THE REGIONAL COMMUNITY GRANT FUND BOARD, AS ESTABLISHED BY
8 SUBDIVISION THREE OF THIS SECTION.

9 3. EACH COUNTY SHALL ESTABLISH A REGIONAL COMMUNITY GRANT FUND BOARD
10 TO ADMINISTER THE FUNDS DIRECTED TO EACH COUNTY. APPOINTMENTS TO SUCH A
11 REGIONAL COMMUNITY GRANT FUND BOARD SHALL INCLUDE, BUT NEED NOT BE
12 LIMITED TO, THE COUNTY EXECUTIVE, ONE MEMBER OF THE ASSEMBLY AND ONE
13 MEMBER OF THE SENATE REPRESENTING AN ELECTION DISTRICT IN WHICH ALL OR A
14 PORTION OF THE RELEVANT COUNTY IS LOCATED, SUCH LEGISLATIVE MEMBERS TO
15 BE APPOINTED BY THE GOVERNOR, AND SUCH OTHER MEMBERS AS MAY BE DEEMED
16 NECESSARY OR APPROPRIATE BY THE COUNTY EXECUTIVE.

17 4. EACH REGIONAL COMMUNITY GRANT FUND BOARD SHALL CREATE A DIRECT
18 GRANT PROGRAM THAT WILL DISPERSE FUNDS TO INDIVIDUAL GROUPS BASED ON
19 NEED. THE INDIVIDUAL GRANTS SHALL BE AWARDED THROUGH AN APPLICATION
20 PROCESS BASED ON CRITERIA CREATED BY EACH BOARD CONSISTENT WITH THE
21 PURPOSES SET FORTH IN THIS SECTION AND SECTION SIXTEEN HUNDRED
22 TWENTY-ONE OF THE TAX LAW. THE FUNDING FOR COMMUNITY GROUPS, THE SOURCE
23 OF WHICH IS THE COMMUNITY GROUPS ASSISTANCE LOTTERY GAME AS ESTABLISHED
24 IN SECTION SIXTEEN HUNDRED TWENTY-ONE OF THE TAX LAW, SHALL BE ALLOCATED
25 TO EACH COUNTY IN PROPORTION TO THE NUMBER OF LOTTERY SALES THAT TOOK
26 PLACE IN EACH COUNTY. THE FUNDING FOR COMMUNITY GROUPS FROM SOURCES
27 OTHER THAN SUCH LOTTERY GAME SHALL BE APPLIED BASED UPON NEED.

28 5. MONIES SHALL BE CREDITED TOWARDS THE FUND IN FORM OF GIFT,
29 DONATION, FEDERAL ASSISTANCE OR GRANT, TRANSFERS, PAYMENT, APPROPRIATION
30 OR BY A DEDICATED REVENUE SOURCE INCLUDING THE COMMUNITY GROUPS ASSIST-
31 ANCE LOTTERY GAME AS ESTABLISHED IN SECTION SIXTEEN HUNDRED TWENTY-ONE
32 OF THE TAX LAW.

33 6. MONIES OF THE FUND SHALL NOT BE USED, TRANSFERRED OR APPROPRIATED
34 FOR ANY PURPOSE OTHER THAN WHAT IS PROVIDED IN THIS SECTION, EXCEPT THAT
35 SUCH MONIES MAY BE USED FOR MINIMAL COSTS ASSOCIATED WITH ADMINISTERING
36 EACH DIRECT GRANT PROGRAM.

37 S 3. This act shall take effect on the ninetieth day after it shall
38 have become a law.