

9162

2009-2010 Regular Sessions

I N A S S E M B L Y

September 30, 2009

Introduced by M. of A. CRESPO -- read once and referred to the Committee
on Transportation

AN ACT to amend the vehicle and traffic law, the state finance law and
the social services law, in relation to establishing Jacobs' fund to
assist victims of drunk or drug impaired driving who are permanently
disabled

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

1 Section 1. Subdivision 2 of section 503 of the vehicle and traffic law
2 is amended by adding a new paragraph (1) to read as follows:
3 (1) WITH RESPECT TO ANY FEE REQUIRED BY THIS SUBDIVISION, THE DEPART-
4 MENT SHALL COLLECT AN ADDITIONAL FEE IN THE AMOUNT OF ONE DOLLAR WHICH
5 SHALL BE USED EXCLUSIVELY TO ASSIST VICTIMS OF DRUNK OR DRUG IMPAIRED
6 DRIVING. IN ADDITION TO SUCH ONE DOLLAR FEE, THE COMPTROLLER SHALL
7 CREDIT FIVE HUNDRED DOLLARS ON THE FIRST OF EACH MONTH TO JACOBS' FUND
8 TO SUPPLEMENT SOCIAL SECURITY DISABILITY AND SOCIAL SECURITY INCOME FOR
9 INDIVIDUALS WHO ARE VICTIMS OF DRUNK OR DRUG IMPAIRED DRIVING, AND WHO
10 ARE PERMANENTLY DISABLED AS A RESULT. MONIES COLLECTED AS A RESULT OF
11 SUCH ADDITIONAL FEE SHALL BE DEPOSITED IN A SPECIAL FUND TO BE KNOWN AS
12 JACOBS' FUND AND MONIES IN SUCH FUND SHALL BE USED EXCLUSIVELY TO ASSIST
13 VICTIMS OF DRUNK OR DRUG IMPAIRED DRIVING AS SET FORTH IN SECTION EIGHT-
14 Y-ONE OF THE STATE FINANCE LAW.
15 S 2. The state finance law is amended by adding a new section 81 to
16 read as follows:
17 S 81. JACOBS' FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTO-
18 DY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A
19 SPECIAL FUND TO BE KNOWN AS "JACOBS' FUND".
20 2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE STATE PURSU-
21 ANT TO PARAGRAPH (L) OF SUBDIVISION TWO OF SECTION FIVE HUNDRED THREE OF
22 THE VEHICLE AND TRAFFIC LAW AND ALL OTHER GRANTS, BEQUESTS OR 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 FUND
2 OR SOURCE PURSUANT TO LAW.

3 3. MONEYS IN THE FUND SHALL BE KEPT SEPARATE AND APART AND SHALL NOT
4 BE COMMINGLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE COMMISSIONER
5 OF TAXATION AND FINANCE AND THE COMPTROLLER.

6 4. MONEYS OF THE FUND, FOLLOWING APPROPRIATION BY THE LEGISLATURE,
7 SHALL BE AVAILABLE TO THE DEPARTMENT OF SOCIAL SERVICES AND SHALL BE
8 EXPENDED BY SUCH DEPARTMENT TO ASSIST VICTIMS OF DRUNK OR DRUG IMPAIRED
9 DRIVING PURSUANT TO THE PROVISIONS OF SUBDIVISION NINE OF SECTION TWENTY
10 OF THE SOCIAL SERVICES LAW.

11 S 3. Section 20 of the social services law is amended by adding a new
12 subdivision 9 to read as follows:

13 9. THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE SHALL, IN COOPER-
14 ATION WITH LOCAL SOCIAL SERVICES DISTRICTS AND APPROPRIATE FEDERAL AGEN-
15 CIES DEVELOP A PROGRAM TO ASSIST VICTIMS OF DRUNK OR DRUG IMPAIRED DRIV-
16 ING WHO ARE PERMANENTLY DISABLED AND UNABLE TO WORK. SUCH PROGRAM SHALL
17 BE FUNDED BY FUNDS MADE AVAILABLE FROM JACOBS' FUND, AS ESTABLISHED BY
18 SECTION EIGHTY-ONE OF THE STATE FINANCE LAW. APPLICATION FOR SUCH FUNDS
19 SHALL BE MADE IN A MANNER AND FORM AS DETERMINED BY SUCH OFFICE. THE
20 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE IS HEREBY AUTHORIZED AND
21 DIRECTED TO PROMULGATE RULES AND REGULATIONS NECESSARY TO CARRY OUT THE
22 PROVISIONS OF THIS SUBDIVISION.

23 S 4. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law, provided, however, that effective immediate-
25 ly, the addition, amendment and/or repeal of any rule or regulation
26 necessary for the implementation of this act on its effective date is
27 authorized to be made and completed on or before such date.