S T A T E O F N E W Y O R K

9374

I N A S S E M B L Y

(PREFILED)

January 6, 2010

Introduced by M. of A. GABRYSZAK, MORELLE, MILLMAN, CARROZZA, ESPAILLAT, LATIMER -- Multi-Sponsored by -- M. of A. FIELDS, P. LOPEZ, PHEFFER, J. RIVERA, ROBINSON -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the tax law and the state finance law, in relation to creating arts themed lottery tickets with the proceeds given to elementary and secondary arts education curriculums

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

Section 1. The tax law is amended by adding a new section 1621 to read as follows:

S 1621. ARTS EDUCATION LOTTERY TICKETS. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE DIVISION OF LOTTERY SHALL PRODUCE A SCRATCH OFF LOTTERY TICKET WITH AN ARTS THEME, THE PROCEEDS OF WHICH SHALL BE MADE AVAILABLE FOR THE SUPPORT OF ELEMENTARY AND SECONDARY ARTS EDUCATION CURRICULUMS. THE NET PROCEEDS FROM THE SALE OF SUCH TICKETS SHALL BE DEPOSITED INTO THE ARTS EDUCATION ACCOUNT ESTABLISHED PURSUANT TO SUBDIVISION TWO OF SECTION NINETY-TWO-C OF THE STATE FINANCE LAW.

S 2. Subdivision 2 of section 92-c of the state finance law, as amended by chapter 913 of the laws of 1977, is amended to read as follows:

2. Such fund shall consist of the state lottery revenues including those revenues derived from lottery tickets sold for the support of winter sports physical education in commemoration of the XIII olympic winter games, AS WELL AS THOSE REVENUES DERIVED FROM LOTTERY TICKETS SOLD FOR THE SUPPORT OF ELEMENTARY AND SECONDARY ARTS EDUCATION CURRICULUMS, if any, paid into the same by the division of the lottery as provided in section sixteen hundred twelve of the New York state lottery for education law, and all other moneys credited or transferred thereto from any other fund or sources pursuant to law. There shall be established within such fund an account to be known as the winter sports physical education account which shall consist of state lottery revenues paid into the fund as derived solely from the sale of lottery tickets

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

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sold for the support of winter sports physical education in commemoration of the XIII olympic winter games. THERE SHALL ALSO BE ESTABLISHED WITHIN SUCH FUND AN ACCOUNT TO BE KNOWN AS THE ARTS EDUCATION ACCOUNT WHICH SHALL CONSIST OF STATE LOTTERY REVENUES PAID INTO THE FUND AS DERIVED SOLELY FROM THE SALE OF LOTTERY TICKETS FOR THE SUPPORT OF ELEMENTARY AND SECONDARY ARTS EDUCATION CURRICULUMS. Upon such establishment there shall also be established within such fund a separate account, to be known as the state lottery regular account, which shall consist of state lottery revenues other than revenues derived from the sale of lottery tickets sold for the support of winter sports physical education in commemoration of the XIII olympic winter games AND ELEMENTARY AND SECONDARY ARTS EDUCATION CURRICULUMS. Such state lottery regular account shall also consist of any lottery revenues transferred from the winter sports physical education account to the state lottery regular account in the manner provided for in subdivision five of this section. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, MONIES DEPOSITED INTO THE ARTS EDUCATION ACCOUNT MAY NOT BE TRANSFERRED FROM THAT ACCOUNT INTO ANY OTHER FUND OR ACCOUNT OF THE STATE.

S 3. This act shall take effect immediately.