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

S. 1391 A. 3958

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

January 29, 2009

IN SENATE -- Introduced by Sens. LAVALLE, SMITH, ALESI, FLANAGAN, O. JOHNSON, LARKIN, MAZIARZ, ONORATO, PARKER, SAMPSON, SEWARD, STACHOWSKI, VOLKER, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

IN ASSEMBLY -- Introduced by M. of A. SCARBOROUGH -- Multi-Sponsored by -- M. of A. ALFANO, PHEFFER, THIELE -- read once and referred to the Committee on Education

AN ACT to amend the vehicle and traffic law and the state finance law, in relation to creating the "September eleventh, two thousand one remembrance" distinctive license plate program

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE "SEPTEMBER ELEVENTH, TWO THOUSAND ONE REMEMBRANCE" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "SEPTEMBER ELEVENTH, TWO THOUSAND ONE REMEMBRANCE" LICENSE PLATE. APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-OO OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE

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

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PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF "THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE SCHOLARSHIP FUND" ESTABLISHED PURSUANT TO SECTION NINETY-SIX-A OF THE STATE FINANCE LAW AND SHALL BE USED FOR HIGHER EDUCATION OF VICTIMS WHO LOST AN IMMEDIATE FAMILY MEMBER AS A RESULT OF THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE TERRORIST ATTACKS IN NEW YORK, PURSUANT TO SECTION NINETY-SIX-A OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 96-a to read as follows:

S 96-A. THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE SCHOLARSHIP FUND. 1. THERE IS HEREBY ESTABLISHED, IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE SCHOLARSHIP FUND.

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS, OR BEQUESTS FOR THE PURPOSES OF THE FUND, AS DEFINED IN THIS SECTION, AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR HIGHER EDUCATION OF VICTIMS WHO LOST AN IMMEDIATE FAMILY MEMBER AS A RESULT OF THE SEPTEMBER ELEVENTH, TWO THOUSAND ONE TERRORIST ATTACKS IN NEW YORK.

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

5. TO THE EXTENT POSSIBLE, THE COMMISSIONER OF EDUCATION SHALL ENSURE THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF THAT FISCAL YEAR.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.