

2017

2009-2010 Regular Sessions

I N S E N A T E

February 11, 2009

Introduced by Sens. GOLDEN, DeFRANCISCO, FUSCHILLO, LANZA, LARKIN, LAVALLE, MORAHAN, SKELOS, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to locator technology recommendations; and to amend the tax law, in relation to providing a personal income tax credit for the purchase of locator technology

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

1 Section 1. Paragraph (a) of subdivision 4 of section 2004-a of the  
2 public health law, as amended by section 4 of part A of chapter 58 of  
3 the laws of 2008, is amended to read as follows:

4 (a) The council shall meet quarterly or more frequently if its busi-  
5 ness shall require. The community forums in the first year of implemen-  
6 tation count as a formal meeting of the council. The members of the  
7 council shall receive no compensation but shall be reimbursed for travel  
8 and other expenses actually and necessarily incurred in the performance  
9 of their duties. The council shall provide reports to the governor and  
10 the legislature on or before June thirtieth, two thousand nine and by  
11 June thirtieth of every other year thereafter. Such reports shall  
12 include recommendations for state policy relating to dementia and a  
13 review of services initiated and coordinated among public and private  
14 agencies to meet the needs of persons with Alzheimer's disease and other  
15 dementia and their families.

16 THE COUNCIL SHALL MAKE RECOMMENDATIONS CONCERNING LOCATOR TECHNOLOGIES  
17 AVAILABLE FOR PURCHASE BY INDIVIDUALS, INCLUDING GLOBAL POSITIONING  
18 TECHNOLOGY, THAT WOULD BENEFIT PERSONS AFFLICTED BY ALZHEIMER'S DISEASE,  
19 DEMENTIA, AND/OR OTHER AFFLICTIONS, AND THEIR FAMILIES OR CARETAKERS. IF  
20 THE DIRECTOR OF THE STATE OFFICE FOR AGING SHALL AGREE WITH THE RECOM-  
21 MENDATIONS, THE DIRECTOR MAY PROMULGATE SUCH RECOMMENDATIONS IN AN  
22 APPROPRIATE FORM AS A REGULATION OF THE OFFICE, AND SHALL FORWARD THE  
23 RECOMMENDATIONS TO THE COMMISSIONER OF TAXATION AND FINANCE. SUCH RECOM-

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

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1 MENDATIONS SHALL BE UPDATED ANNUALLY, ON OR BEFORE NOVEMBER FIRST OF  
2 EACH YEAR, BEGINNING IN THE CALENDAR YEAR NEXT FOLLOWING THE EFFECTIVE  
3 DATE OF THIS SECTION.

4 S 2. Section 606 of the tax law is amended by adding a new subsection  
5 (qq) to read as follows:

6 (QQ) CREDIT FOR PURCHASE OF LOCATOR TECHNOLOGY. A TAXPAYER SHALL BE  
7 ALLOWED A CREDIT AS HEREINAFTER PROVIDED, AGAINST THE TAX IMPOSED BY  
8 THIS ARTICLE FOR THE PURCHASE, OTHER THAN FOR RESALE, OF GLOBAL POSI-  
9 TIONING TECHNOLOGY THAT HAS BEEN RECOMMENDED PURSUANT TO SUBDIVISION  
10 FOUR OF SECTION TWO THOUSAND FOUR-A OF THE PUBLIC HEALTH LAW. THE  
11 AMOUNT OF CREDIT SHALL BE THE COST TO THE TAXPAYER OF SUCH GLOBAL POSI-  
12 TIONING TECHNOLOGY PURCHASED DURING THE TAXABLE YEAR, SUCH CREDIT NOT TO  
13 EXCEED SEVENTY-FIVE DOLLARS WITH RESPECT TO EACH UNIT PURCHASED,  
14 PROVIDED HOWEVER THAT (1) A TAXPAYER SHALL NOT BE ENTITLED TO CLAIM THE  
15 CREDIT AUTHORIZED BY THIS SUBSECTION MORE OFTEN THAN ONCE DURING ANY  
16 PERIOD OF THREE TAXABLE YEARS; AND (2) THE TAXPAYER SHALL NOT BE ENTI-  
17 TLED TO THE CREDIT UNLESS THE LOCATOR TECHNOLOGY SHALL HAVE BEEN RECOM-  
18 MENDED OR REQUIRED BY A PHYSICIAN.

19 S 3. This act shall take effect immediately; provided that the tax  
20 credit for locator technology provided by section two of this act shall  
21 apply to taxable years beginning on and after the first of January next  
22 succeeding the date on which this act shall have become a law.