

3075

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. CUSICK, PHEFFER, ORTIZ, ABBATE, SCHIMMINGER,
V. LOPEZ, WEISENBERG, BOYLAND, SCHROEDER, MILLMAN, SWEENEY, CLARK,
TITONE -- Multi-Sponsored by -- M. of A. AUBRY, COLTON, DESTITO,
GABRYSZAK, GUNTHER, HOOPER, LUPARDO, MCENENY, PEOPLES, J. RIVERA,
SEMINERIO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, the tax law and the state finance
law, in relation to providing for taxpayer gifts for leukemia, lympho-
ma and myeloma research, education and treatment and establishing the
leukemia research, education and treatment fund

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

1 Section 1. The public health law is amended by adding a new article
2 27-CCC to read as follows:

3 ARTICLE 27-CCC

4 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM
5 SECTION 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
6 TREATMENT.

7 S 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
8 MENT. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT A PROGRAM
9 TO PROMOTE RESEARCH, EDUCATION AND TREATMENT REGARDING LEUKEMIA, LYMPHO-
10 MA AND MYELOMA. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMIS-
11 SIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

12 1. TO PROMOTE RESEARCH, EDUCATION AND TREATMENT PROGRAMS DESIGNED TO
13 REDUCE OR PREVENT THE INCIDENCE AND SEVERITY OF LEUKEMIA, LYMPHOMA AND
14 MYELOMA;

15 2. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OR OTHER FUNDS OR APPROPRI-
16 ATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES SUBJECT TO LIMITATIONS AS
17 TO THE APPROVAL OF EXPENDITURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS
18 BY THE STATE FINANCE LAW; AND

19 3. TO ENTER INTO CONTRACTS WITHIN THE AMOUNTS AVAILABLE THEREFOR AS
20 MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

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

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1 S 2. The tax law is amended by adding a new section 209-G to read as
2 follows:

3 S 209-G. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
4 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
5 ARY FIRST, TWO THOUSAND TEN, A TAXPAYER IN ANY TAXABLE YEAR MAY ELECT TO
6 CONTRIBUTE TO THE SUPPORT OF THE LEUKEMIA, LYMPHOMA AND MYELOMA
7 RESEARCH, EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN
8 ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX
9 OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE
10 CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIB-
11 UTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES
12 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA,
13 LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND SHALL BE
14 USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-JJJJ OF
15 THE STATE FINANCE LAW.

16 S 3. The tax law is amended by adding a new section 630-b to read as
17 follows:

18 S 630-B. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
19 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
20 ARY FIRST, TWO THOUSAND TEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT
21 TO CONTRIBUTE TO THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
22 AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR
23 AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIV-
24 IDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX
25 RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING
26 ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS
27 SECTION SHALL BE CREDITED TO THE LEUKEMIA, LYMPHOMA AND MYELOMA
28 RESEARCH, EDUCATION AND TREATMENT FUND AND USED ONLY FOR THOSE PURPOSES
29 ENUMERATED IN SECTION NINETY-SEVEN-JJJJ OF THE STATE FINANCE LAW.

30 S 4. The state finance law is amended by adding a new section 97-jjjj
31 to read as follows:

32 S 97-JJJJ. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
33 TREATMENT FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF
34 THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL
35 FUND TO BE KNOWN AS THE "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCA-
36 TION AND TREATMENT FUND".

37 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
38 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO
39 HUNDRED NINE-G AND SECTION SIX HUNDRED THIRTY-B OF THE TAX LAW AND ALL
40 OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY
41 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION
42 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE
43 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO
44 THE FUND ACCORDING TO LAW.

45 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LEUKEMIA, LYMPHOMA
46 AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS. AS USED IN THIS
47 SECTION, "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
48 MENT PROJECTS" MEANS RESEARCH, EDUCATION AND TREATMENT PROJECTS, INCLUD-
49 ING GRANTS FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
50 TREATMENT, WHICH, PURSUANT TO SECTION TWO THOUSAND SEVEN HUNDRED FORTY-
51 SEVEN OF THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF
52 HEALTH. SUCH GRANTS MAY INCLUDE, AMONG OTHERS, GRANTS TO PUBLIC AND
53 PRIVATE HOSPITALS, MEDICAL CENTERS, MEDICAL SCHOOLS AND OTHER ORGANIZA-
54 TIONS.

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

4 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE
5 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
6 END OF THAT FISCAL YEAR.

7 S 5. This act shall take effect immediately and shall apply to taxable
8 years commencing on or after January 1, 2010.