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

3121

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. BRADLEY -- Multi-Sponsored by -- M. of A. PHEFFER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to distinctive license plates for childhood cancer awareness; and to amend the state finance law, in relation to creating the childhood cancer awareness fund

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 CHILDHOOD CANCER AWARENESS LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE CHILDHOOD CANCER AWARENESS LICENSE PLATE IN SUPPORT OF CHILDHOOD CANCER RESEARCH BEARING THE PHRASE "CHILDHOOD CANCER AWARENESS". APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE CHILDHOOD CANCER AWARENESS LICENSE 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 PLATE. MONEYS RECEIVED PURSUANT TO THIS SUBDIVISION SHALL BE DEPOSITED IN THE CHILDHOOD CANCER AWARENESS FUND CREATED UNDER SECTION EIGHTY-NINE-H OF THE STATE FINANCE LAW. PROVIDED, HOWEVER THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION FUNDS IN THE AMOUNT OF SIX THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATES.

S 2. The state finance law is amended by adding a new section 89-h to read as follows:

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

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S 89-H. CHILDHOOD CANCER AWARENESS FUND. 1. THERE IS HEREBY CREATED IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE COMMISSIONER OF HEALTH A FUND TO BE KNOWN AS THE CHILDHOOD CANCER AWARENESS FUND.

2. THE FUND SHALL CONSIST OF ANY MONEY COLLECTED PURSUANT TO SUBDIVISION TWO 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. NOTHING SHALL PREVENT THE COMPTROLLER FROM ACCEPTING ANY GIFT, BEQUEST, OR OTHER DONATION ON BEHALF OF THE FUND.

3. MONEYS OF THE FUND SHALL BE USED TO SUPPORT CHILDHOOD CANCER PREVENTION AND CURE RESEARCH INITIATIVES. THE COMMISSIONER OF HEALTH, IN CONSULTATION WITH THE AMERICAN CANCER SOCIETY, SHALL DETERMINE WHICH RESEARCH INITIATIVES ARE ELIGIBLE FOR FUNDING UNDER THIS FUND.

4. MONEYS SHALL BE PAID OUT OF THE FUND ON THE AUDIT AND WARRANT OF THE STATE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER OF HEALTH. ANY INTEREST RECEIVED BY THE COMPTROLLER ON MONEYS ON DEPOSIT IN THE CHILDHOOD CANCER AWARENESS FUND SHALL BE RETAINED IN AND BECOME PART OF SUCH FUND.

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