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

6558

2009-2010 Regular Sessions

I N A S S E M B L Y

March 6, 2009

Introduced by M. of A. TOWNS, REILLY, GUNTHER, BRENNAN, COLTON, ERRIGO, GREENE, KOON, JAFFEE, KOLB, J. RIVERA, SCHIMMINGER, WALKER, ZEBROWSKI -- Multi-Sponsored by -- M. of A. BURLING, CALHOUN, DelMONTE, FINCH, GALEF, GOTTFRIED, JOHN, MARKEY, MAYERSOHN, McKEVITT, MILLMAN, RAIA, SPANO, SWEENEY, THIELE, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating the organ donor distinctive license plate program; and to amend the state finance law, in relation to establishing the "organ donor distinctive plates 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 FAMILY OF AN ORGAN DONOR LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE LICENSE PLATE BEARING THE WORDS "ORGAN DONOR FAMILY". APPLICATION FOR SAID LICENSE PLATES SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. ANY DISTINCTIVE PLATES 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. TWENTY DOLLARS OF EACH SUCH TWENTY-FIVE DOLLAR ANNUAL SERVICE CHARGE SHALL BE DEPOSITED TO THE CREDIT OF THE "ORGAN DONOR DISTINCTIVE PLATES FUND" ESTABLISHED PURSUANT TO SECTION NINETY-FIVE-H OF THE STATE FINANCE LAW AND SHALL BE USED FOR RESEARCH BY ORGAN PROCUREMENT ORGANIZATIONS AND EDUCATION PROGRAMS APPROVED BY THE COMMISSIONER OF HEALTH. PROVIDED, HOWEVER THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS, OR SO MUCH THEREOF AS MAY BE

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

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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 95-h to read as follows:

S 95-H. "ORGAN DONOR DISTINCTIVE PLATES 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 "ORGAN DONOR DISTINCTIVE PLATES 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 ORGAN TRANSPLANT RESEARCH BY ORGAN PROCUREMENT ORGANIZATIONS AND EDUCATION PROJECTS APPROVED BY THE COMMISSIONER OF HEALTH.

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 HEALTH.

5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH 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. Effective immediately, any rules and regulations required to implement the provisions of this act on its effective date shall be promulgated on or before such date.