

1820

2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. MORAHAN, DeFRANCISCO, DIAZ, FUSCHILLO, SEWARD --
read twice and ordered printed, and when printed to be committed 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 colon cancer
research and establishing the colon cancer research 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 COLON CANCER RESEARCH PROGRAM

5 SECTION 2746. COLON CANCER RESEARCH.

6 S 2746. COLON CANCER RESEARCH. THE COMMISSIONER SHALL ESTABLISH WITH-
7 IN THE DEPARTMENT A PROGRAM TO PROMOTE RESEARCH REGARDING COLON CANCER.
8 TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMISSIONER SHALL HAVE
9 THE FOLLOWING POWERS AND DUTIES:

10 1. TO PROMOTE RESEARCH PROGRAMS DESIGNED TO REDUCE OR PREVENT THE
11 INCIDENCE AND SEVERITY OF COLON CANCER;

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

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

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

20 S 209-G. GIFT FOR COLON CANCER RESEARCH. EFFECTIVE FOR ANY TAX YEAR
21 COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, A TAXPAYER IN
22 ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SUPPORT OF THE COLON
23 CANCER RESEARCH FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR

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

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1 AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX OWED BY SUCH
2 TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE CORPORATE INCOME
3 TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTAND-
4 ING ANY OTHER PROVISION OF LAW, ALL REVENUES COLLECTED PURSUANT TO THIS
5 SECTION SHALL BE CREDITED TO THE COLON CANCER RESEARCH FUND AND SHALL BE
6 USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-TWO-FF OF THE
7 STATE FINANCE LAW.

8 S 3. The tax law is amended by adding a new section 629-a to read as
9 follows:

10 S 629-A. GIFT FOR COLON CANCER RESEARCH. EFFECTIVE FOR ANY TAX YEAR
11 COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN, AN INDIVIDUAL IN
12 ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE COLON CANCER RESEARCH
13 FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL
14 NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMIS-
15 SIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A
16 TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION
17 OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED
18 TO THE COLON CANCER RESEARCH FUND AND USED ONLY FOR THOSE PURPOSES
19 ENUMERATED IN SECTION NINETY-TWO-FF OF THE STATE FINANCE LAW.

20 S 4. The state finance law is amended by adding a new section 92-ff to
21 read as follows:

22 S 92-FF. COLON CANCER RESEARCH FUND. 1. THERE IS HEREBY ESTABLISHED IN
23 THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE
24 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "COLON CANCER RESEARCH
25 FUND".

26 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
27 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO
28 HUNDRED NINE-G AND SECTION SIX HUNDRED TWENTY-NINE-A OF THE TAX LAW AND
29 ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY
30 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL
31 PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE
32 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO
33 THE FUND ACCORDING TO LAW.

34 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR COLON CANCER RESEARCH
35 PROJECTS. AS USED IN THIS SECTION, "COLON CANCER RESEARCH PROJECTS"
36 MEANS RESEARCH PROJECTS, INCLUDING GRANTS FOR COLON CANCER RESEARCH,
37 WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SIX OF THE PUBLIC
38 HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH.

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

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

45 S 5. This act shall take effect immediately.