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

4926

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, the state finance law and the civil practice law and rules, in relation to displaced homemakers

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

Section 1. The opening paragraph of subdivision 1 of section 825 of the labor law, as added by chapter 717 of the laws of 1977, is amended to read as follows:

Upon receipt of federal funding designated to assist displaced homemakers, AS AUGMENTED BY REVENUES RECEIVED FROM THE DISPLACED HOMEMAKERS FUND AS PROVIDED IN SECTION NINETY-NINE-Q OF THE STATE FINANCE LAW, the commissioner shall establish multipurpose service centers for displaced homemakers which shall provide the following:

S 2. The state finance law is amended by adding a new section 99-q to read as follows:

S 99-Q. DISPLACED HOMEMAKERS FUND. 1. ALL MONIES RECEIVED BY THE COMPTROLLER PURSUANT TO SUBDIVISION (A) OF SECTION EIGHT THOUSAND EIGHTEEN OF THE CIVIL PRACTICE LAW AND RULES SHALL CONSTITUTE A STATE SPECIAL REVENUE FUND, TO BE HELD BY THE COMPTROLLER AND TO BE KNOWN AS THE DISPLACED HOMEMAKERS FUND. SUCH STATE SPECIAL REVENUE FUND SHALL BE DEPOSITED TO THE CREDIT OF THE COMPTROLLER IN ONE OR MORE STATE BANKS, TRUST COMPANIES OR SAVINGS BANKS AS MAY BE DESIGNATED BY THE COMPTROLLER AT SUCH RATE OF INTEREST, IF ANY, AS FROM TIME TO TIME MAY BE AGREED UPON BY THE DEPOSITORIES AND THE COMPTROLLER.

2. MONIES OF THE FUND SHALL BE AVAILABLE GENERALLY FOR COSTS AND EXPENSES OF THE COMMISSIONER OF LABOR IN ADMINISTERING THE PROVISIONS OF ARTICLE TWENTY-THREE-B OF THE LABOR LAW.

3. THE MONIES SHALL BE PAID OUT OF THE FUND ON THE AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS CERTIFIED BY THE COMMISSIONER OF LABOR OR HIS OR HER DULY DESIGNATED OFFICER.

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

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S 3. Subdivision (a) of section 8018 of the civil practice law and rules is amended by adding a new paragraph 4 to read as follows:

4. IN ADDITION TO THE FEES OTHERWISE PROVIDED IN THIS SUBDIVISION A COUNTY CLERK SHALL COLLECT FROM ANY PERSON INSTITUTING A MATRIMONIAL ACTION AN ADDITIONAL FEE OF TEN DOLLARS. SUCH ADDITIONAL FEE SHALL BE REMITTED TO THE COMPTROLLER AND DEPOSITED IN THE DISPLACED HOMEMAKERS FUND PURSUANT TO SECTION NINETY-NINE-Q OF THE STATE FINANCE LAW. PROVIDED, HOWEVER, SUCH ADDITIONAL FEE SHALL NOT BE COLLECTED FROM A POOR PERSON WHO PROCEEDS PURSUANT TO SECTION ELEVEN HUNDRED ONE OF THIS CHAPTER.

S 4. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.