

5166

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. MORAHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to establishing a gift for eliminating the stigma relating to mental illness on personal income tax returns; to amend the state finance law, in relation to establishing a mental illness anti-stigma fund; and to amend the mental hygiene law, in relation to directing the office of mental health to provide grants to organizations dedicated to eliminating the stigma attached to mental illness and persons with mental health needs

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

1 Section 1. The tax law is amended by adding a new section 629-a to
2 read as follows:
3 S 629-A. GIFT FOR ELIMINATING THE STIGMA RELATING TO MENTAL ILLNESS.
4 EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO
5 THOUSAND NINE, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE
6 TO THE MENTAL ILLNESS ANTI-STIGMA FUND. SUCH CONTRIBUTION SHALL BE IN
7 ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX
8 OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE
9 PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIB-
10 UTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUE COLLECTED
11 PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE MENTAL ILLNESS
12 ANTI-STIGMA FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION
13 NINETY-FIVE-H OF THE STATE FINANCE LAW.
14 S 2. The state finance law is amended by adding a new section 95-h to
15 read as follows:
16 S 95-H. MENTAL ILLNESS ANTI-STIGMA FUND. 1. THERE IS HEREBY ESTAB-
17 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE
18 AND THE STATE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "MENTAL
19 ILLNESS ANTI-STIGMA FUND".

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

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1 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE
2 PROVISIONS OF SECTION SIX HUNDRED TWENTY-NINE-A OF THE TAX LAW, ALL
3 REVENUES RECEIVED PURSUANT TO APPROPRIATIONS BY THE LEGISLATURE, AND ALL
4 MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND
5 OR SOURCE PURSUANT TO LAW. NO MONEYS CREDITED TO SUCH FUND PURSUANT TO
6 SECTION SIX HUNDRED TWENTY-NINE-A OF THE TAX LAW SHALL BE DEEMED TO
7 AUTHORIZE THE REDUCTION OF THE AMOUNT OF MONIES OTHERWISE APPROPRIATED
8 BY THE STATE FOR THE PURPOSE OF ELIMINATING THE STIGMA ATTACHED TO
9 MENTAL ILLNESS.

10 3. THE MONIES OF THE FUND SHALL BE MADE AVAILABLE TO THE OFFICE OF
11 MENTAL HEALTH FOR THE PURPOSE OF PROVIDING GRANTS TO ORGANIZATIONS DEDI-
12 CATED TO ELIMINATING THE STIGMA ATTACHED TO MENTAL ILLNESS AND PERSONS
13 WITH MENTAL HEALTH NEEDS PURSUANT TO SECTION 7.43 OF THE MENTAL HYGIENE
14 LAW.

15 4. THE MONIES OF THE FUND SHALL BE PAID OUT ON THE AUDIT AND WARRANT
16 OF THE STATE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE
17 COMMISSIONER OF MENTAL HEALTH, OR BY AN OFFICER OR EMPLOYEE OF THE
18 OFFICE OF MENTAL HEALTH DESIGNATED BY SUCH COMMISSIONER.

19 S 3. The mental hygiene law is amended by adding a new section 7.43 to
20 read as follows:

21 S 7.43 MENTAL ILLNESS ANTI-STIGMA GRANTS.

22 THE OFFICE SHALL DEVELOP AND IMPLEMENT A PROGRAM WHICH PROVIDES GRANTS
23 TO ORGANIZATIONS ENGAGED IN ACTIVITIES WHICH ELIMINATE THE STIGMA
24 ATTACHED TO MENTAL ILLNESS AND THOSE WITH MENTAL HEALTH NEEDS.

25 S 4. This act shall take effect immediately.