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

S. 798 A. 2388

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

January 15, 2009

IN SENATE -- Introduced by Sens. LAVALLE, ALESI, FLANAGAN, HUNTLEY, LARKIN, LEIBELL, MAZIARZ, MORAHAN, ROBACH, SEWARD, STACHOWSKI, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

IN ASSEMBLY -- Introduced by M. of A. ENGLEBRIGHT, GABRYSZAK -- Multi-Sponsored by -- M. of A. ALFANO, BARRA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer" and to amend the state finance law, in relation to establishing the cure childhood cancer trust 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 "CURE CHILDHOOD CANCER" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE LICENSE PLATE BEARING THE WORDS "CURE CHILDHOOD CANCER". APPLICATION FOR SAID LICENSE PLATES SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. ANY DISTINCTIVE 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. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-OO OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE

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

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PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE "CURE CHILDHOOD CANCER TRUST FUND" ESTABLISHED PURSUANT TO SECTION NINETY-NINE-Q OF THE STATE FINANCE LAW AND SHALL BE USED FOR CHILDHOOD CANCER RESEARCH AND EDUCATION PROJECTS APPROVED BY THE COMMISSIONER OF HEALTH OR TO PROVIDE GRANTS TO STATE UNIVERSITY OF NEW YORK HEALTH SCIENCE CENTERS OR UNIVERSITY HOSPITALS FOR THE PURPOSE OF RESEARCHING AND PROMOTING A CURE FOR CHILDHOOD CANCER, PURSUANT TO SUCH SECTION NINETY-NINE-Q.

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

S 99-Q. CURE CHILDHOOD CANCER TRUST 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 "CURE CHILDHOOD CANCER TRUST 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 CHILDHOOD CANCER RESEARCH AND EDUCATION PROJECTS APPROVED BY THE COMMISSIONER OF HEALTH, OR TO PROVIDE GRANTS TO STATE UNIVERSITY OF NEW YORK HEALTH SCIENCE CENTERS OR UNIVERSITY HOSPITALS FOR THE PURPOSE OF RESEARCHING AND PROMOTING A CURE FOR CHILDHOOD CANCER.

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; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.