

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

8663--A

2011-2012 Regular Sessions

I N A S S E M B L Y

October 14, 2011

Introduced by M. of A. N. RIVERA -- read once and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law and the state finance law, in relation to authorizing a tax check-off for gifts to the explore the cosmos New York fund; to amend the vehicle and traffic law, in relation to authorizing the issuance of distinctive "Explore the Cosmos New York" license plates; and providing for the repeal of such provisions upon expiration thereof

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 625-a to
2 read as follows:
3 S 625-A. GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND. EFFECTIVE FOR
4 ANY TAXABLE YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND
5 THIRTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO
6 THE STATE GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND TO BE USED TO
7 SUPPORT THE SCIENCE AND EDUCATION CENTER THAT WILL HOUSE THE SPACE SHUT-
8 TLE ENTERPRISE AT THE INTREPID SEA, AIR AND SPACE MUSEUM. SUCH CONTRIB-
9 UTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE
10 AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL
11 INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO
12 MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL
13 REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE
14 GIFTS TO EXPLORE THE COSMOS NEW YORK FUND AND USED ONLY FOR THOSE
15 PURPOSES ENUMERATED IN SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.
16 S 2. The state finance law is amended by adding a new section 81 to
17 read as follows:

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

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1 S 81. EXPLORE THE COSMOS NEW YORK FUND. 1. THERE IS HEREBY ESTABLISHED
2 IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE
3 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "EXPLORE THE COSMOS NEW
4 YORK FUND".

5 2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE DEPARTMENT OF
6 TAXATION AND FINANCE FROM THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND
7 PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE-A OF THE TAX LAW AND ALL
8 REVENUES RECEIVED BY THE DEPARTMENT OF MOTOR VEHICLES PURSUANT TO THE
9 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC
10 LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM
11 RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS
12 DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO
13 LAW.

14 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR THE PURPOSE OF
15 SUPPORTING THE SCIENCE AND EDUCATION CENTER THAT WILL HOUSE THE SPACE
16 SHUTTLE ENTERPRISE AT THE INTREPID SEA, AIR AND SPACE MUSEUM.

17 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
18 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
19 OF EDUCATION.

20 S 3. The vehicle and traffic law is amended by adding a new section
21 404-x to read as follows:

22 S 404-X. DISTINCTIVE "EXPLORE THE COSMOS NEW YORK" LICENSE PLATES. 1.
23 ON OR AFTER JULY EIGHTH, TWO THOUSAND THIRTEEN, ANY PERSON RESIDING IN
24 THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "EXPLORE THE
25 COSMOS NEW YORK" LICENSE PLATE OF A DESIGN APPROVED BY THE COMMISSIONER,
26 COMMEMORATING THE LAUNCH OF THE LAST SPACE SHUTTLE MISSION. APPLICATION
27 FOR SAID LICENSE PLATE SHALL BE FILED WITH THE FORM AND DETAIL AS THE
28 COMMISSIONER SHALL PRESCRIBE.

29 2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED
30 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGU-
31 LAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS
32 ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF
33 TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ADDITIONAL
34 SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO SECTION FOUR HUNDRED
35 FOUR-00 OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHI-
36 CLES DISTINCTIVE PLATE DEVELOPMENT FUND, ESTABLISHED BY SECTION NINETY-
37 FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE PRODUCTION,
38 DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE NUMBER PLATES;
39 PROVIDED, HOWEVER, THAT ADDITIONAL ANNUAL SERVICE CHARGES COLLECTED IN
40 EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE
41 EXPLORE THE COSMOS NEW YORK FUND ESTABLISHED PURSUANT TO SECTION EIGHT-
42 Y-ONE OF THE STATE FINANCE LAW.

43 S 4. This act shall take effect immediately and shall expire and be
44 deemed repealed 8 years after such effective date.