

5476

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 22, 2011

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Introduced by M. of A. TOWNS -- read once and referred to the Committee  
on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating the  
organ donor distinctive license plate program; and to amend the state  
finance law, in relation to establishing the "organ donor distinctive  
plates fund"

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

1     Section 1. The vehicle and traffic law is amended by adding a new  
2     section 404-x to read as follows:  
3     S 404-X. DISTINCTIVE FAMILY OF AN ORGAN DONOR LICENSE PLATES. 1. ANY  
4     PERSON RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE  
5     LICENSE PLATE BEARING THE WORDS "ORGAN DONOR FAMILY". APPLICATION FOR  
6     SAID LICENSE PLATES SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM  
7     AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.  
8     2. ANY DISTINCTIVE PLATES ISSUED PURSUANT TO THIS SECTION SHALL BE  
9     ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE  
10    REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
11    ARTICLE PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
12    TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. TWENTY DOLLARS OF  
13    EACH SUCH TWENTY-FIVE DOLLAR ANNUAL SERVICE CHARGE SHALL BE DEPOSITED TO  
14    THE CREDIT OF THE "ORGAN DONOR DISTINCTIVE PLATES FUND" ESTABLISHED  
15    PURSUANT TO SECTION NINETY-FIVE-H OF THE STATE FINANCE LAW AND SHALL BE  
16    USED FOR RESEARCH BY ORGAN PROCUREMENT ORGANIZATIONS AND EDUCATION  
17    PROGRAMS APPROVED BY THE COMMISSIONER OF HEALTH. PROVIDED, HOWEVER THAT  
18    ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT  
19    OF SEVEN THOUSAND FIVE HUNDRED DOLLARS, OR SO MUCH THEREOF AS MAY BE  
20    AVAILABLE, SHALL BE ALLOCATED TO THE DEPARTMENT TO OFFSET COSTS ASSOCI-  
21    ATED WITH THE PRODUCTION OF SUCH LICENSE PLATES.  
22    S 2. The state finance law is amended by adding a new section 95-h to  
23    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 95-H. "ORGAN DONOR DISTINCTIVE PLATES FUND". 1. THERE IS HEREBY  
2 ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND  
3 FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "ORGAN  
4 DONOR DISTINCTIVE PLATES FUND".

5 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE  
6 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW  
7 AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM  
8 ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS  
9 SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS  
10 FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING  
11 THEM INTO THE FUND ACCORDING TO LAW.

12 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR ORGAN TRANSPLANT  
13 RESEARCH BY ORGAN PROCUREMENT ORGANIZATIONS AND EDUCATION PROJECTS  
14 APPROVED BY THE COMMISSIONER OF HEALTH.

15 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
16 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
17 OF HEALTH.

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

21 S 3. This act shall take effect on the one hundred eightieth day after  
22 it shall have become a law. Effective immediately, any rules and regu-  
23 lations required to implement the provisions of this act on its effec-  
24 tive date shall be promulgated on or before such date.