

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

7416--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 4, 2011

Introduced by M. of A. BRENNAN, MILLMAN, JAFFEE, JACOBS -- Multi-Sponsored by -- M. of A. COOK, P. RIVERA, TITONE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the not-for-profit corporation law and the state finance law, in relation to the administration of the state cemetery vandalism restoration fund by the state cemetery board

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

1 Section 1. Paragraph (c) of section 1504 of the not-for-profit corporation law is amended by adding a new subparagraph 6 to read as follows:
2 (6) TO ADMINISTER THE STATE CEMETERY VANDALISM RESTORATION, MONUMENT
3 REPAIR OR REMOVAL AND ADMINISTRATION FUND PURSUANT TO SECTION
4 NINETY-SEVEN-R OF THE STATE FINANCE LAW. MONEYS OF THE FUND, ESTABLISHED
5 BY SECTION NINETY-SEVEN-R OF THE STATE FINANCE LAW, MAY BE EXPENDED FOR
6 THE PURPOSES PROVIDED IN SUBPARAGRAPH THREE OF PARAGRAPH (H) OF SECTION
7 FIFTEEN HUNDRED SEVEN OF THIS ARTICLE ACCORDING TO THE REQUIREMENTS OF
8 SUCH PARAGRAPH (H).
9
10 S 2. Subdivisions 1 and 3 of section 97-r of the state finance law,
11 subdivision 1 as amended by chapter 380 of the laws of 2000 and subdivision
12 3 as added by chapter 495 of the laws of 1988, are amended to read
13 as follows:
14 1. There is hereby established in the joint custody of the state
15 [comptroller and the commissioner of taxation and finance] CEMETERY
16 BOARD a special fund to be known as the state cemetery vandalism restoration,
17 monument repair or removal and administration fund.
18 3. Moneys of the fund may be expended for the purposes provided in
19 subparagraph three of paragraph (h) of section fifteen hundred seven of
20 the not-for-profit corporation law according to the requirements of such
21 paragraph (h). Moneys shall be paid out of the fund on the audit and

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

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1 warrant of the [state comptroller] CEMETERY BOARD on vouchers certified
2 or approved by [the secretary of state] A MAJORITY VOTE OF THE CEMETERY
3 BOARD. SUCH FUND SHALL BE UTILIZED SOLELY FOR THE PURPOSE UNDER WHICH IT
4 WAS CREATED. AN ANNUAL REPORT TO THE STATE COMPTROLLER SHALL BE PROVIDED
5 BY THE CEMETERY BOARD NO MORE THAN SIXTY DAYS FOLLOWING THE END OF THE
6 PREVIOUS FISCAL YEAR, WHICH DETAILS THE FUNDS RECEIVED AND EXPENDED FOR
7 SUCH FISCAL YEAR.

8 S 3. This act shall take effect on the first of April next succeeding
9 the date on which it shall have become a law.