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:

Section 1. The tax law is amended by adding a new section 625-a to read as follows:

S 625-A. GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND. EFFECTIVE FOR ANY TAXABLE YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND THIRTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE STATE GIFTS TO THE EXPLORE THE COSMOS NEW YORK FUND TO BE USED TO SUPPORT THE SCIENCE AND EDUCATION CENTER THAT WILL HOUSE THE SPACE SHUTTLE ENTERPRISE AT THE INTREPID SEA, AIR AND SPACE MUSEUM. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 81 to read as follows:

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

LBD13270-03-2

S 81. EXPLORE THE COSMOS NEW YORK 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 "EXPLORE THE COSMOS NEW YORK FUND".

2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE DEPARTMENT OF TAXATION AND FINANCE FROM THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE-A OF THE TAX LAW AND ALL REVENUES RECEIVED BY THE DEPARTMENT OF MOTOR VEHICLES PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC 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 THE PURPOSE OF SUPPORTING THE SCIENCE AND EDUCATION CENTER THAT WILL HOUSE THE SPACE SHUTTLE ENTERPRISE AT THE INTREPID SEA, AIR AND SPACE MUSEUM.

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 EDUCATION.

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

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

2. A 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 ADDITIONAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO 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 NUMBER PLATES; PROVIDED, HOWEVER, THAT ADDITIONAL ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE EXPLORE THE COSMOS NEW YORK FUND ESTABLISHED PURSUANT TO SECTION EIGHTY-ONE OF THE STATE FINANCE LAW.

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