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

8863

I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. CALHOUN -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the creation of the library assistance lottery game and to amend the state finance law, in relation to establishing the library assistance fund

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 1621 to read as follows:

S 1621. LIBRARY ASSISTANCE LOTTERY GAME. 1. THE DIRECTOR OF THE DIVISION OF LOTTERY SHALL DEVELOP AND IMPLEMENT NO MORE THAN TWO SCRATCH-OFF LOTTERY GAMES WHOSE REVENUE, AFTER PAYMENT OF PRIZES AND ASSOCIATED ADMINISTRATIVE COSTS OF SUCH GAMES, SHALL BE DEPOSITED IN THE LIBRARY ASSISTANCE FUND AS ESTABLISHED IN SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW. THIS LOTTERY GAME SHALL BE MARKETED AND DISTRIBUTED IN THE SAME MANNER AS ALL LOTTERY GAMES CONTROLLED BY THE DIVISION OF LOTTERY. THIS SECTION SHALL NOT DIMINISH ANY EFFORTS OR FUNDING FOR OTHER LOTTERY GAMES UNDER THE CONTROL OF THE DIVISION OF LOTTERY. EACH TICKET SHALL CLEARLY STATE THAT ALL PROCEEDS FROM TICKET SALES GO TOWARDS THE LIBRARY ASSISTANCE FUND.

2. THE DIVISION OF LOTTERY SHALL ESTABLISH AND BEGIN SELLING TICKETS AS REQUIRED BY THIS SECTION NO LATER THAN DECEMBER THIRTY-FIRST, TWO THOUSAND TWELVE.

S 2. The state finance law is amended by adding a new section 97-llll to read as follows:

S 97-LLLL. LIBRARY ASSISTANCE FUND. 1. THE LIBRARY ASSISTANCE FUND IS ESTABLISHED IN THE SOLE CUSTODY OF THE STATE COMPTROLLER. MONIES IN THE FUND SHALL BE KEPT SEPARATE AND NOT COMMINGLED WITH OTHER FUNDS IN THE CUSTODY OF THE COMPTROLLER.

2. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR COSTS ASSOCIATED WITH ASSISTANCE FOR LIBRARIES. MONIES SHALL BE PAYABLE FROM THE FUND BY THE COMPTROLLER ON VOUCHERS APPROVED BY THE DEPARTMENT OF EDUCATION.

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

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3. THE DEPARTMENT OF EDUCATION SHALL CREATE A DIRECT GRANT PROGRAM THAT WILL DISPERSE FUNDS TO LIBRARIES BASED ON NEED. THE INDIVIDUAL GRANTS SHALL BE AWARDED THROUGH AN APPLICATION PROCESS BASED ON CRITERIA CREATED WITHIN SUCH PROGRAM. THE FUNDING FOR LIBRARY ASSISTANCE PROGRAMS AND SERVICES SHOULD BE APPLIED IN AREAS WHERE THE NEED IS THE MOST FOR LIBRARIES IN NEW YORK STATE.

4. MONIES SHALL BE CREDITED TOWARDS THE FUND IN FORM OF GIFT, DONATION, FEDERAL ASSISTANCE OR GRANT, TRANSFER, PAYMENT, APPROPRIATION OR BY A DEDICATED REVENUE SOURCE INCLUDING THE LIBRARY ASSISTANCE LOTTERY GAME AS ESTABLISHED IN SECTION SIXTEEN HUNDRED TWENTY-ONE OF THE TAX LAW.

5. MONIES OF THE FUND SHALL NOT BE USED, TRANSFERRED OR APPROPRIATED FOR ANY PURPOSE OTHER THAN WHAT IS PROVIDED IN THIS SECTION, EXCEPT THAT SUCH MONIES MAY BE USED FOR MINIMAL COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM WITHIN THE DEPARTMENT OF EDUCATION.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.