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

7335--B

I N S E N A T E

May 2, 2012

Introduced by Sens. AVELLA, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to authorizing the creation of the community group assistance lottery game and to amend the state finance law, in relation to establishing the community grant 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. COMMUNITY GROUPS ASSISTANCE LOTTERY GAME. A. THE DIRECTOR OF THE DIVISION OF LOTTERY SHALL DEVELOP AND IMPLEMENT NO MORE THAN TWO SCRATCH-OFF LOTTERY GAMES WHOSE REVENUE, AFTER PAYMENT FOR PRIZES AND ASSOCIATED ADMINISTRATIVE COSTS OF SUCH GAMES, SHALL BE DEPOSITED IN THE COMMUNITY GRANT 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 COMMUNITY GRANT FUND.

B. 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. COMMUNITY GRANT FUND. 1. THE COMMUNITY GRANT 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.

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

LBD15668-04-2

2. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR COSTS ASSOCIATED WITH ASSISTANCE FOR COMMUNITY GROUPS ORGANIZED PURSUANT TO PARAGRAPH THREE OR FOUR OF SUBDIVISION (C) OF SECTION FIVE HUNDRED ONE OF THE INTERNAL REVENUE CODE OF NINETEEN HUNDRED EIGHTY-SIX, AS AMENDED, ADMINISTERING EDUCATIONAL, RECREATIONAL, CULTURAL, SENIOR, VETERANS OR SOCIAL SERVICES PROGRAMS OR PROVIDING VOLUNTEER AMBULANCE SERVICES. MONIES SHALL BE AVAILABLE TO THE REGIONAL COMMUNITY GRANT FUND BOARD, AS ESTABLISHED BY SUBDIVISION THREE OF THIS SECTION.

3. EACH COUNTY SHALL ESTABLISH A REGIONAL COMMUNITY GRANT FUND BOARD TO ADMINISTER THE FUNDS DIRECTED TO EACH COUNTY. APPOINTMENTS TO SUCH A REGIONAL COMMUNITY GRANT FUND BOARD SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE COUNTY EXECUTIVE, ONE MEMBER OF THE ASSEMBLY AND ONE MEMBER OF THE SENATE REPRESENTING AN ELECTION DISTRICT IN WHICH ALL OR A PORTION OF THE RELEVANT COUNTY IS LOCATED, SUCH LEGISLATIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR, AND SUCH OTHER MEMBERS AS MAY BE DEEMED NECESSARY OR APPROPRIATE BY THE COUNTY EXECUTIVE.

4. EACH REGIONAL COMMUNITY GRANT FUND BOARD SHALL CREATE A DIRECT GRANT PROGRAM THAT WILL DISPERSE FUNDS TO INDIVIDUAL GROUPS BASED ON NEED. THE INDIVIDUAL GRANTS SHALL BE AWARDED THROUGH AN APPLICATION PROCESS BASED ON CRITERIA CREATED BY EACH BOARD CONSISTENT WITH THE PURPOSES SET FORTH IN THIS SECTION AND SECTION SIXTEEN HUNDRED TWENTY-ONE OF THE TAX LAW. THE FUNDING FOR COMMUNITY GROUPS, THE SOURCE OF WHICH IS THE COMMUNITY GROUPS ASSISTANCE LOTTERY GAME AS ESTABLISHED IN SECTION SIXTEEN HUNDRED TWENTY-ONE OF THE TAX LAW, SHALL BE ALLOCATED TO EACH COUNTY IN PROPORTION TO THE NUMBER OF LOTTERY SALES THAT TOOK PLACE IN EACH COUNTY. THE FUNDING FOR COMMUNITY GROUPS FROM SOURCES OTHER THAN SUCH LOTTERY GAME SHALL BE APPLIED BASED UPON NEED.

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

6. 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 EACH DIRECT GRANT PROGRAM.

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