

7810

I N S E N A T E

June 20, 2012

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

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

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

18 S 81. EXPLORE THE COSMOS NEW YORK FUND. 1. THERE IS HEREBY ESTABLISHED  
19 IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE  
20 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "EXPLORE THE COSMOS NEW  
21 YORK FUND".

22 2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED BY THE DEPARTMENT OF  
23 TAXATION AND FINANCE FROM THE GIFTS TO EXPLORE THE COSMOS NEW YORK FUND  
24 PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE-A OF THE TAX LAW AND ALL

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

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1 REVENUES RECEIVED BY THE DEPARTMENT OF MOTOR VEHICLES PURSUANT TO THE  
2 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC  
3 LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM  
4 RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS  
5 DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO  
6 LAW.

7 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR THE PURPOSE OF  
8 SUPPORTING THE SCIENCE AND EDUCATION CENTER THAT WILL HOUSE THE SPACE  
9 SHUTTLE ENTERPRISE AT THE INTREPID SEA, AIR AND SPACE MUSEUM.

10 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
11 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
12 OF EDUCATION.

13 S 3. The vehicle and traffic law is amended by adding a new section  
14 404-x to read as follows:

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

22 2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED  
23 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGU-  
24 LAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
25 ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
26 TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ADDITIONAL  
27 SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO SECTION FOUR HUNDRED  
28 FOUR-00 OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHI-  
29 CLES DISTINCTIVE PLATE DEVELOPMENT FUND, ESTABLISHED BY SECTION NINETY-  
30 FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE PRODUCTION,  
31 DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE NUMBER PLATES;  
32 PROVIDED, HOWEVER, THAT ADDITIONAL ANNUAL SERVICE CHARGES COLLECTED IN  
33 EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE  
34 EXPLORE THE COSMOS NEW YORK FUND ESTABLISHED PURSUANT TO SECTION EIGHT-  
35 Y-ONE OF THE STATE FINANCE LAW.

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