

558--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CUSICK, ORTIZ, ABBATE, SCHIMMINGER, WEISENBERG, BOYLAND, MILLMAN, SWEENEY, CLARK, TITONE, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. AUBRY, COLTON, GABRYSZAK, GUNTHER, HOOPER, LUPARDO, McDONALD, PEOPLES-STOKES, RIVERA -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for leukemia, lymphoma and myeloma research, education and treatment and establishing the leukemia, lymphoma and myeloma research, education and treatment fund

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

1 Section 1. The public health law is amended by adding a new article
2 27-CCC to read as follows:
3 ARTICLE 27-CCC
4 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM
5 SECTION 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
6 TREATMENT.
7 S 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
8 MENT. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT A PROGRAM
9 TO PROMOTE RESEARCH, EDUCATION AND TREATMENT REGARDING LEUKEMIA, LYMPHO-
10 MA AND MYELOMA. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMIS-
11 SIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:
12 1. TO PROMOTE RESEARCH, EDUCATION AND TREATMENT PROGRAMS DESIGNED TO
13 REDUCE OR PREVENT THE INCIDENCE AND SEVERITY OF LEUKEMIA, LYMPHOMA AND
14 MYELOMA;
15 2. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OR OTHER FUNDS OR APPROPRI-
16 ATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES SUBJECT TO LIMITATIONS AS

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

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1 TO THE APPROVAL OF EXPENDITURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS
2 BY THE STATE FINANCE LAW; AND

3 3. TO ENTER INTO CONTRACTS WITHIN THE AMOUNTS AVAILABLE THEREFOR AS
4 MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

5 S 2. The tax law is amended by adding a new section 209-I to read as
6 follows:

7 S 209-I. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
8 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
9 ARY FIRST, TWO THOUSAND FIFTEEN, A TAXPAYER IN ANY TAXABLE YEAR MAY
10 ELECT TO CONTRIBUTE TO THE SUPPORT OF THE LEUKEMIA, LYMPHOMA AND MYELOMA
11 RESEARCH, EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN
12 ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX
13 OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE
14 CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIB-
15 UTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES
16 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA,
17 LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND SHALL BE
18 USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-LLLL OF
19 THE STATE FINANCE LAW.

20 S 3. The tax law is amended by adding a new section 630-d to read as
21 follows:

22 S 630-D. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION
23 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-
24 ARY FIRST, TWO THOUSAND FIFTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY
25 ELECT TO CONTRIBUTE TO THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH,
26 EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE
27 DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH
28 INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME
29 TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITH-
30 STANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO
31 THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA, LYMPHOMA AND MYELOMA
32 RESEARCH, EDUCATION AND TREATMENT FUND AND USED ONLY FOR THOSE PURPOSES
33 ENUMERATED IN SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW.

34 S 4. The state finance law is amended by adding a new section 97-llll
35 to read as follows:

36 S 97-LLLL. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
37 TREATMENT FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF
38 THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL
39 FUND TO BE KNOWN AS THE "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCA-
40 TION AND TREATMENT FUND".

41 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
42 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO
43 HUNDRED NINE-I AND SECTION SIX HUNDRED THIRTY-D OF THE TAX LAW AND ALL
44 OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY
45 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION
46 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE
47 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO
48 THE FUND ACCORDING TO LAW.

49 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LEUKEMIA, LYMPHOMA
50 AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS. AS USED IN THIS
51 SECTION, "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-
52 MENT PROJECTS" MEANS RESEARCH, EDUCATION AND TREATMENT PROJECTS, INCLUD-
53 ING GRANTS FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND
54 TREATMENT, WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SEVEN
55 OF THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH.

1 SUCH GRANTS MAY INCLUDE, AMONG OTHERS, GRANTS TO PUBLIC AND PRIVATE
2 HOSPITALS, MEDICAL CENTERS, MEDICAL SCHOOLS AND OTHER ORGANIZATIONS.
3 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
4 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
5 OF HEALTH.
6 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE
7 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
8 END OF THAT FISCAL YEAR.
9 S 5. This act shall take effect immediately and shall apply to taxable
10 years commencing on or after January 1, 2015.