

1538--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CYMBROWITZ, WEISENBERG, MILLMAN, CLARK, COLTON, SCHIMMINGER, CAHILL -- Multi-Sponsored by -- M. of A. COOK, GLICK, HOOPER, JACOBS, MAGEE, ORTIZ, SWEENEY -- 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 colon cancer education and establishing the colon cancer education 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 COLON CANCER EDUCATION PROGRAM

5 SECTION 2746. COLON CANCER EDUCATION.

6 S 2746. COLON CANCER EDUCATION. THE COMMISSIONER SHALL ESTABLISH
7 WITHIN THE DEPARTMENT A PROGRAM TO PROMOTE PATIENT EDUCATION REGARDING
8 COLON CANCER. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMISSION-
9 ER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

10 1. TO PROMOTE PATIENT EDUCATION PROGRAMS DESIGNED TO REDUCE OR PREVENT
11 THE INCIDENCE AND SEVERITY OF COLON CANCER;

12 2. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OR OTHER FUNDS OR APPROPRI-
13 ATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES SUBJECT TO LIMITATIONS AS
14 TO THE APPROVAL OF EXPENDITURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS
15 BY THE STATE FINANCE LAW; AND

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

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

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

LBD06191-02-3

1 S 209-I. GIFT FOR COLON CANCER EDUCATION. A TAXPAYER IN ANY TAXABLE
2 YEAR MAY ELECT TO CONTRIBUTE TO THE SUPPORT OF THE COLON CANCER EDUCA-
3 TION FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND
4 SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX OWED BY SUCH TAXPAYER. THE
5 COMMISSIONER SHALL INCLUDE SPACE ON THE CORPORATE INCOME TAX RETURN TO
6 ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER
7 PROVISION OF LAW, ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL
8 BE CREDITED TO THE COLON CANCER EDUCATION FUND AND SHALL BE USED ONLY
9 FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-CC OF THE STATE
10 FINANCE LAW.

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

13 S 630-D. GIFT FOR COLON CANCER EDUCATION. AN INDIVIDUAL IN ANY TAXA-
14 BLE YEAR MAY ELECT TO CONTRIBUTE TO THE COLON CANCER EDUCATION FUND.
15 SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT
16 REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER
17 SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A
18 TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION
19 OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED
20 TO THE COLON CANCER EDUCATION FUND AND USED ONLY FOR THOSE PURPOSES
21 ENUMERATED IN SECTION NINETY-SEVEN-CC OF THE STATE FINANCE LAW.

22 S 4. The state finance law is amended by adding a new section 97-cc to
23 read as follows:

24 S 97-CC. COLON CANCER EDUCATION FUND. 1. THERE IS HEREBY ESTABLISHED
25 IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE
26 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "COLON CANCER EDUCATION
27 FUND".

28 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
29 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTIONS TWO
30 HUNDRED NINE-I AND SIX HUNDRED THIRTY-D OF THE TAX LAW AND ALL OTHER
31 MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER
32 FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL
33 PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE
34 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO
35 THE FUND ACCORDING TO LAW.

36 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR COLON CANCER EDUCA-
37 TIONAL PROJECTS. AS USED IN THIS SECTION, "COLON CANCER EDUCATION
38 PROJECTS" MEANS EDUCATIONAL PROJECTS, INCLUDING GRANTS FOR COLON CANCER
39 EDUCATION, WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SIX OF
40 THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH.

41 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
42 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
43 OF HEALTH.

44 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE
45 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE
46 END OF THAT FISCAL YEAR.

47 S 5. This act shall take effect on the first of January next succeed-
48 ing the date on which it shall have become a law and shall apply to
49 taxable years beginning on and after such effective date.