

7430--A

Cal. No. 357

2013-2014 Regular Sessions

I N   A S S E M B L Y

May 16, 2013

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Introduced by M. of A. WEISENBERG -- read once and referred to the Committee on Ways and Means -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the tax law and the state finance law, in relation to establishing the homeless veterans assistance fund and authorizing gifts to such fund through a state income tax check-off

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 627-b to  
2     read as follows:  
3     S 627-B. GIFT FOR ASSISTING HOMELESS VETERANS. EFFECTIVE FOR ANY TAX  
4     YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, AN  
5     INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE HOMELESS  
6     VETERANS ASSISTANCE FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR  
7     AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL.  
8     THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX  
9     RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING  
10    ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS  
11    SECTION SHALL BE CREDITED TO THE HOMELESS VETERANS ASSISTANCE FUND AND  
12    USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-NINE-V OF THE  
13    STATE FINANCE LAW.  
14    S 2. The state finance law is amended by adding a new section 99-v to  
15    read as follows:  
16    S 99-V. HOMELESS VETERANS ASSISTANCE FUND. 1. THERE IS HEREBY ESTABLISHED  
17    IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE,  
18    THE NEW YORK STATE DIRECTOR OF VETERANS AFFAIRS AND THE COMPTROLLER, A  
19    SPECIAL FUND TO BE KNOWN AS THE "HOMELESS VETERANS ASSISTANCE FUND".  
20    2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
21    OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION SIX  
22    HUNDRED TWENTY-SEVEN-B OF THE TAX LAW, AND ALL OTHER MONEYS APPROPRI-

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

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1 ATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE  
2 PURSUANT TO LAW. FOR EACH STATE FISCAL YEAR, THERE SHALL BE APPROPRIATED  
3 TO THE FUND BY THE STATE, IN ADDITION TO ALL OTHER MONEYS REQUIRED TO BE  
4 DEPOSITED INTO SUCH FUND, AN AMOUNT EQUAL TO THE AMOUNTS OF MONEYS  
5 COLLECTED AND DEPOSITED INTO THE FUND PURSUANT TO SECTION SIX HUNDRED  
6 TWENTY-SEVEN-B OF THE TAX LAW, AND THE AMOUNTS OF MONEYS RECEIVED AND  
7 DEPOSITED INTO THE FUND FROM GRANTS, GIFTS AND BEQUESTS DURING THE  
8 PRECEDING CALENDAR YEAR, AS CERTIFIED BY THE COMPTROLLER. NOTHING IN  
9 THIS SECTION SHALL PREVENT THE STATE FROM SOLICITING AND RECEIVING  
10 GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN  
11 THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

12 3. ON OR BEFORE THE FIRST DAY OF FEBRUARY OF EACH CALENDAR YEAR, THE  
13 COMPTROLLER SHALL CERTIFY TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF  
14 THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE  
15 COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE  
16 AMOUNT OF MONEY DEPOSITED IN THE HOMELESS VETERANS ASSISTANCE FUND  
17 DURING THE PRECEDING CALENDAR YEAR AS THE RESULT OF REVENUE DERIVED  
18 PURSUANT TO SECTION SIX HUNDRED TWENTY-SEVEN-B OF THE TAX LAW, AND FROM  
19 ALL GRANTS, GIFTS AND BEQUESTS.

20 4. MONEYS OF THE FUND SHALL BE EXPENDED ONLY FOR THE ASSISTANCE AND  
21 CARE OF HOMELESS VETERANS, FOR HOUSING AND HOUSING-RELATED EXPENSES, AS  
22 DETERMINED BY THE DIVISION OF VETERANS AFFAIRS.

23 5. MONEYS SHALL BE PAID OUT OF THE FUND ON THE AUDIT AND WARRANT OF  
24 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE NEW YORK STATE  
25 DIRECTOR OF VETERANS AFFAIRS. ANY INTEREST RECEIVED BY THE COMPTROLLER  
26 ON MONEYS ON DEPOSIT IN THE HOMELESS VETERANS ASSISTANCE FUND SHALL BE  
27 RETAINED IN AND BECOME PART OF SUCH FUND.

28 S 3. This act shall take effect immediately and shall apply to taxable  
29 years beginning on or after January 1, 2015.