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

4760--A

2013-2014 Regular Sessions

I N  S E N A T E

April 22, 2013

Introduced by Sens. MARTINS, ZELDIN, ADDABBO, AVELLA, CARLUCCI, DeFRANCISCO, FLANAGAN, GRISANTI, LARKIN, RANZENHOFER, TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. The tax law is amended by adding a new section 627-b to read as follows:

S 627-B. GIFT FOR ASSISTING HOMELESS VETERANS. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE HOMELESS VETERANS ASSISTANCE FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE HOMELESS VETERANS ASSISTANCE FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-NINE-V OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 99-v to read as follows:

S 99-V. HOMELESS VETERANS ASSISTANCE FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE,

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

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THE NEW YORK STATE DIRECTOR OF VETERANS AFFAIRS AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "HOMELESS VETERANS ASSISTANCE FUND".

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

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

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

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

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