

5871--A

2013-2014 Regular Sessions

I N   S E N A T E

June 18, 2013

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Introduced by Sens. HANNON, NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Health 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 public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for women's cancers education and prevention and establishing the women's cancers education and prevention fund

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

1     Section 1. Subdivision 1 of section 207 of the public health law is  
2     amended by adding a new paragraph (j) to read as follows:  
3     (J) THE DANGERS OF WOMEN'S CANCERS, INCLUDING WAYS TO PREVENT AND  
4     SEVERITY OF SUCH DISEASES. FOR PURPOSES OF THIS PARAGRAPH, WOMEN'S  
5     CANCERS SHALL MEAN AND INCLUDE: CERVICAL, ENDOMETRIAL, GESTATIONAL  
6     TROPHOBLASTIC TUMOR, OVARIAN, UTERINE SARCOMA, VAGINAL, AND VULVAR.  
7     S 2. The tax law is amended by adding a new section 209-I to read as  
8     follows:  
9     S 209-I. GIFT FOR WOMEN'S CANCERS EDUCATION AND PREVENTION. A TAXPAY-  
10    ER IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SUPPORT OF THE  
11    WOMEN'S CANCERS EDUCATION AND PREVENTION FUND. SUCH CONTRIBUTION SHALL  
12    BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE  
13    STATE TAX OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON  
14    THE CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH  
15    CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES  
16    COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE WOMEN'S  
17    CANCERS EDUCATION AND PREVENTION FUND AND SHALL BE USED ONLY FOR THOSE  
18    PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE  
19    LAW.

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

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1 S 3. Part 2 of article 22 of the tax law is amended by adding a new  
2 section 630-d to read as follows:

3 S 630-D. GIFT FOR WOMEN'S CANCERS EDUCATION AND PREVENTION. AN INDI-  
4 VIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE WOMEN'S  
5 CANCERS EDUCATION AND PREVENTION FUND. SUCH CONTRIBUTION SHALL BE IN ANY  
6 WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY  
7 SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL  
8 INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION.  
9 NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSU-  
10 ANT TO THIS SECTION SHALL BE CREDITED TO THE WOMEN'S CANCERS EDUCATION  
11 AND PREVENTION FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN  
12 SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW.

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

15 S 97-LLLL. WOMEN'S CANCERS EDUCATION AND PREVENTION FUND. 1. THERE IS  
16 HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION  
17 AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE  
18 "WOMEN'S CANCERS EDUCATION AND PREVENTION FUND".

19 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
20 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO  
21 HUNDRED NINE-I AND SECTION SIX HUNDRED THIRTY-D OF THE TAX LAW, AND ALL  
22 OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY  
23 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION  
24 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE  
25 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO  
26 THE FUND ACCORDING TO LAW.

27 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR WOMEN'S CANCERS  
28 EDUCATION AND PREVENTION PROJECTS. AS USED IN THIS SECTION, "WOMEN'S  
29 CANCERS EDUCATION AND PREVENTION PROJECTS" MEANS EDUCATIONAL PROJECTS,  
30 INCLUDING GRANTS FOR WOMEN'S CANCERS EDUCATION AND PREVENTION PROGRAMS,  
31 WHICH ARE APPROVED BY THE DEPARTMENT OF HEALTH.

32 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
33 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
34 OF HEALTH.

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

38 S 5. This act shall take effect immediately.