

382

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. ROSENTHAL, ROZIC, ROBINSON, COOK, GUNTHER, ENGLE-BRIGHT, ABBATE, ROBERTS, OTIS, SCHIMEL, FAHY, AUBRY -- Multi-Sponsored by -- M. of A. ARROYO, BROOK-KRASNY, PERRY, RIVERA, SOLAGES -- read once and referred to the Committee on Ways and Means

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 (k) to read as follows:
3 (K) 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.