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

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2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. CUSICK, ORTIZ, ABBATE, SCHIMMINGER, TITONE, ENGLEBRIGHT, MORELLE, PERRY -- Multi-Sponsored by -- M. of A. AUBRY, COLTON, GUNTHER, HOOPER, LUPARDO, McDONALD, PEOPLES-STOKES, RIVERA -- read once and referred to the Committee on Health -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for leukemia, lymphoma and myeloma research, education and treatment and establishing the leukemia, lymphoma and myeloma research, education and treatment fund

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

Section 1. The public health law is amended by adding a new article 27-CCC to read as follows:

ARTICLE 27-CCC

LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM

SECTION 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT.

S 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT A PROGRAM TO PROMOTE RESEARCH, EDUCATION AND TREATMENT REGARDING LEUKEMIA, LYMPHOMA AND MYELOMA. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMISSIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

1. TO PROMOTE RESEARCH, EDUCATION AND TREATMENT PROGRAMS DESIGNED TO REDUCE OR PREVENT THE INCIDENCE AND SEVERITY OF LEUKEMIA, LYMPHOMA AND MYELOMA;

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

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

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

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

S 209-J. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND SEVENTEEN, A TAXPAYER IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SUPPORT OF THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE CORPORATE 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 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND SHALL BE USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-PPPP OF THE STATE FINANCE LAW.

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

S 630-E. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND SEVENTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT 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 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-PPPP OF THE STATE FINANCE LAW.

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

S 97-PPPP. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND".

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO HUNDRED NINE-J AND SECTION SIX HUNDRED THIRTY-E OF THE TAX LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM 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. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS. AS USED IN THIS SECTION, "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS" MEANS RESEARCH, EDUCATION AND TREATMENT PROJECTS, INCLUDING GRANTS FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT, WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SEVEN OF THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH. SUCH GRANTS MAY INCLUDE, AMONG OTHERS, GRANTS TO PUBLIC AND PRIVATE HOSPITALS, MEDICAL CENTERS, MEDICAL SCHOOLS AND OTHER ORGANIZATIONS.

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

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

S 5. This act shall take effect immediately and shall apply to taxable years commencing on or after January 1, 2017.