

7419

2015-2016 Regular Sessions

I N A S S E M B L Y

May 11, 2015

Introduced by M. of A. FARRELL -- (at request of the State Comptroller)
-- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to tax check-off funds

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

1 Section 1. Subdivision (a) of section 83 of the state finance law is
2 amended by adding a new paragraph 1-a to read as follows:
3 1-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSION-
4 ER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SHALL PROVIDE A WRIT-
5 TEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE
6 ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY
7 WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR
8 OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.
9 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND RECEIVED PURSUANT
10 TO SECTION SIX HUNDRED TWENTY-FIVE OF THE TAX LAW WERE UTILIZED DURING
11 THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:
12 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
13 USED FOR SUCH DISBURSEMENTS;
14 (II) RECIPIENTS OF AWARDS FROM THE FUND;
15 (III) THE AMOUNT AWARDED TO EACH;
16 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND
17 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
18 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
19 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
20 YEAR.
21 S 2. Section 84 of the state finance law is amended by adding a new
22 subdivision 2-a to read as follows:
23 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRPERSON
24 OF THE NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY SHALL
25 PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,

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

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1 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF
2 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON
3 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER
4 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND
5 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

6 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
7 USED FOR SUCH DISBURSEMENTS;

8 (II) RECIPIENTS OF AWARDS FROM THE FUND;

9 (III) THE AMOUNT AWARDED TO EACH;

10 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

11 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
12 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
13 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
14 YEAR.

15 S 3. Subdivision 2-b of section 97-yy of the state finance law, as
16 added by section 5-b of part A of chapter 60 of the laws of 2014, is
17 amended to read as follows:

18 2-b. On or before the first day of February each year, the commission-
19 er of health shall provide a written report to the temporary president
20 of the senate, speaker of the assembly, chair of the senate finance
21 committee, chair of the assembly ways and means committee, chair of the
22 senate committee on health, [and] chair of the assembly health
23 committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall
24 include how the monies of the fund were utilized during the preceding
25 calendar year, and shall include:

26 (i) the amount of money dispersed from the fund AND THE AWARD PROCESS
27 USED FOR SUCH DISBURSEMENTS;

28 (ii) recipients of awards from the fund;

29 (iii) the amount awarded to each; [and]

30 (iv) the purposes for which such awards were granted; AND

31 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
32 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
33 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
34 YEAR.

35 S 4. Section 97-mmmm of the state finance law is amended by adding a
36 new subdivision 2-a to read as follows:

37 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF
38 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN
39 REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-
40 BLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS
41 AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF
42 THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.
43 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED
44 DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

45 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
46 USED FOR SUCH DISBURSEMENTS;

47 (II) RECIPIENTS OF AWARDS FROM THE FUND;

48 (III) THE AMOUNT AWARDED TO EACH;

49 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

50 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
51 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
52 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
53 YEAR.

54 S 5. Section 99-v of the state finance law, as added by chapter 428 of
55 the laws of 2014, is amended by adding a new subdivision 2-a to read as
56 follows:

2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

(I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS;

(II) RECIPIENTS OF AWARDS FROM THE FUND;

(III) THE AMOUNT AWARDED TO EACH;

(IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 6. Section 92-w of the state finance law is amended by adding a new subdivision 2-a to read as follows:

2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

(I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS;

(II) RECIPIENTS OF AWARDS FROM THE FUND;

(III) THE AMOUNT AWARDED TO EACH;

(IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

S 7. Subdivision 2-b of section 89-e of the state finance law, as added by section 9 of part A of chapter 60 of the laws of 2014, is amended to read as follows:

[(2-b)] 2-B. On or before the first day of February each year, the commissioner of health shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on health, [and] chair of the assembly health committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall include how the monies of the fund were utilized during the preceding calendar year and shall include:

(i) the amount of money dispersed from the fund AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS;

(ii) recipients of awards from the fund;

(iii) the amount awarded to each; [and]

(iv) the purposes for which such awards were granted; AND

(V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

1 S 8. Paragraph (b) of subdivision 4 of section 95-e of the state
2 finance law, as added by section 7 of part A of chapter 60 of the laws
3 of 2014, is amended to read as follows:

4 (b) On or before the first day of February each year, the commissioner
5 of health shall provide a written report to the temporary president of
6 the senate, speaker of the assembly, chair of the senate finance commit-
7 tee, chair of the assembly ways and means committee, chair of the senate
8 committee on health, [and] chair of the assembly health committee, THE
9 STATE COMPTROLLER AND THE PUBLIC. Such report shall include how monies
10 of the fund were utilized during the preceding calendar year and shall
11 include:

12 (i) the amount of money disbursed from the fund AND THE AWARD PROCESS
13 USED FOR SUCH DISBURSEMENTS;

14 (ii) recipients of awards from the fund;

15 (iii) the amount awarded to each; [and]

16 (iv) the purposes for which such awards were granted; AND

17 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
18 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
19 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
20 YEAR.

21 S 9. Section 79 of the state finance law is amended by adding a new
22 subdivision 2-a to read as follows:

23 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRMAN OF
24 THE BOARD OF DIRECTORS OF THE WORLD TRADE CENTER MEMORIAL FOUNDATION
25 SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,
26 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF
27 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON
28 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER
29 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND
30 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

31 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
32 USED FOR SUCH DISBURSEMENTS;

33 (II) RECIPIENTS OF AWARDS FROM THE FUND;

34 (III) THE AMOUNT AWARDED TO EACH;

35 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

36 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
37 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
38 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
39 YEAR.

40 S 10. Section 99-q of the state finance law is amended by adding a new
41 subdivision 2-a to read as follows:

42 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE STATE FIRE
43 ADMINISTRATOR SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT
44 OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE
45 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE
46 SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE
47 STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE
48 MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND
49 SHALL INCLUDE:

50 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
51 USED FOR SUCH DISBURSEMENTS;

52 (II) RECIPIENTS OF AWARDS FROM THE FUND;

53 (III) THE AMOUNT AWARDED TO EACH;

54 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

55 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
56 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-

1 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
2 YEAR.

3 S 11. Section 99-u of the state finance law, as added by section 2 of
4 part GG of chapter 59 of the laws of 2013, is amended by adding a new
5 subdivision 2-a to read as follows:

6 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSION-
7 ER OF HEALTH SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT
8 OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE
9 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE
10 SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE
11 STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE
12 MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND
13 SHALL INCLUDE:

14 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
15 USED FOR SUCH DISBURSEMENTS;

16 (II) RECIPIENTS OF AWARDS FROM THE FUND;

17 (III) THE AMOUNT AWARDED TO EACH;

18 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

19 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
20 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
21 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
22 YEAR.

23 S 12. Subdivision 3 of section 22 of the state finance law is amended
24 by adding a new paragraph j to read as follows:

25 J. INCLUDE A SUMMARY FINANCIAL PLAN FOR THE FUNDS OF THE STATE RECEIV-
26 ING TAX CHECK-OFF MONIES WHICH SHALL INCLUDE ESTIMATES OF ALL RECEIPTS
27 AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEEDING FISCAL YEARS, ALONG
28 WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL YEAR.

29 S 13. The state finance law is amended by adding a new section 71-b to
30 read as follows:

31 S 71-B. EXPENDITURE OF CHECK-OFF MONIES. 1. TO THE EXTENT PRACTICABLE,
32 FOR EVERY FUND ESTABLISHED PURSUANT TO THIS CHAPTER OR ANY OTHER LAW,
33 FOR WHICH A TAX CHECK-OFF IS A SOURCE OF THE MONIES IN SUCH FUND, THE
34 HEAD OF THE AGENCY OR ENTITY ADMINISTERING THE EXPENDITURE OF SUCH
35 MONIES SHALL ENSURE THAT ALL TAX CHECK-OFF MONIES RECEIVED DURING A
36 FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF SUCH FISCAL YEAR.

37 2. THE HEAD OF THE AGENCY OR ENTITY ADMINISTERING THE EXPENDITURE OF
38 TAX CHECK-OFF MONIES SHALL REPORT ANNUALLY ON THE USE OF SUCH MONIES TO
39 THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF
40 THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS
41 COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEM-
42 BLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT
43 SHALL INCLUDE THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD
44 PROCESS USED FOR SUCH DISBURSEMENTS, RECIPIENTS OF AWARDS FROM THE FUND,
45 THE AMOUNT AWARDED TO EACH, THE PURPOSES FOR WHICH SUCH AWARDS WERE
46 GRANTED, AND A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL
47 INCLUDE ESTIMATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT
48 AND SUCCEEDING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE
49 PRIOR FISCAL YEAR.

50 S 14. This act shall take effect immediately; provided, however, that
51 the provisions of section thirteen of this act shall apply to funds
52 established on and after such date.