

833--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 7, 2015

Introduced by M. of A. GUNTHER, MOSLEY, McDONALD, SKOUFIS -- Multi-Sponsored by -- M. of A. COLTON, COOK, DUPREY, PERRY, RIVERA -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to establishing a gift for eliminating the stigma relating to mental illness on personal income tax returns; to amend the state finance law, in relation to establishing a mental illness anti-stigma fund; and to amend the mental hygiene law, in relation to directing the office of mental health to provide grants to organizations dedicated to eliminating the stigma attached to mental illness and persons with mental health needs

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

1 Section 1. The tax law is amended by adding a new section 629-a to
2 read as follows:
3 S 629-A. GIFT FOR ELIMINATING THE STIGMA RELATING TO MENTAL ILLNESS.
4 EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO
5 THOUSAND FIFTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY ELECT TO
6 CONTRIBUTE TO THE MENTAL ILLNESS ANTI-STIGMA FUND. SUCH CONTRIBUTION
7 SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF
8 STATE TAX OWED BY SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE
9 ON THE PERSONAL INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH
10 CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUE
11 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE MENTAL
12 ILLNESS ANTI-STIGMA FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN
13 SECTION NINETY-FIVE-H OF THE STATE FINANCE LAW.
14 S 2. The state finance law is amended by adding a new section 95-h to
15 read as follows:
16 S 95-H. MENTAL ILLNESS ANTI-STIGMA FUND. 1. THERE IS HEREBY ESTAB-
17 LISHED 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.

LBD02004-07-5

1 AND THE STATE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "MENTAL
2 ILLNESS ANTI-STIGMA FUND".

3 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE
4 PROVISIONS OF SECTION SIX HUNDRED TWENTY-NINE-A OF THE TAX LAW, ALL
5 REVENUES RECEIVED PURSUANT TO APPROPRIATIONS BY THE LEGISLATURE, AND ALL
6 MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND
7 OR SOURCE PURSUANT TO LAW. NO MONEYS CREDITED TO SUCH FUND PURSUANT TO
8 SECTION SIX HUNDRED TWENTY-NINE-A OF THE TAX LAW SHALL BE DEEMED TO
9 AUTHORIZE THE REDUCTION OF THE AMOUNT OF MONIES OTHERWISE APPROPRIATED
10 BY THE STATE FOR THE PURPOSE OF ELIMINATING THE STIGMA ATTACHED TO
11 MENTAL ILLNESS.

12 3. THE MONIES OF THE FUND SHALL BE MADE AVAILABLE TO THE OFFICE OF
13 MENTAL HEALTH FOR THE PURPOSE OF PROVIDING GRANTS TO ORGANIZATIONS DEDI-
14 CATED TO ELIMINATING THE STIGMA ATTACHED TO MENTAL ILLNESS AND PERSONS
15 WITH MENTAL HEALTH NEEDS PURSUANT TO SECTION 7.47 OF THE MENTAL HYGIENE
16 LAW.

17 4. THE MONIES OF THE FUND SHALL BE PAID OUT ON THE AUDIT AND WARRANT
18 OF THE STATE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED BY THE
19 COMMISSIONER OF MENTAL HEALTH, OR BY AN OFFICER OR EMPLOYEE OF THE
20 OFFICE OF MENTAL HEALTH DESIGNATED BY SUCH COMMISSIONER.

21 S 3. The mental hygiene law is amended by adding a new section 7.47 to
22 read as follows:

23 S 7.47 MENTAL ILLNESS ANTI-STIGMA GRANTS.

24 (A) THE OFFICE SHALL DEVELOP AND IMPLEMENT A PROGRAM WHICH PROVIDES
25 GRANTS TO ORGANIZATIONS ENGAGED IN ACTIVITIES WHICH ELIMINATE THE STIGMA
26 ATTACHED TO MENTAL ILLNESS AND THOSE WITH MENTAL HEALTH NEEDS.

27 (B) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMPTROLLER
28 SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAK-
29 ER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE AND CHAIR OF
30 THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY DEPOSITED IN
31 THE MENTAL ILLNESS ANTI-STIGMA FUND DURING THE PRECEDING CALENDAR YEAR
32 AS THE RESULT OF REVENUE DERIVED PURSUANT TO SECTION SIX HUNDRED TWEN-
33 TY-NINE-A OF THE TAX LAW.

34 (C) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER
35 OF MENTAL HEALTH SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESI-
36 DENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE
37 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE
38 SENATE COMMITTEE ON MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND
39 CHAIR OF THE ASSEMBLY MENTAL HEALTH COMMITTEE. SUCH REPORT SHALL
40 INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING
41 CALENDAR YEAR AND SHALL INCLUDE:

- 42 (1) THE AMOUNT OF MONEY DISPERSED FROM THE FUND;
- 43 (2) RECIPIENTS OF AWARDS FROM THE FUND;
- 44 (3) THE AMOUNT AWARDED TO EACH; AND
- 45 (4) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED.

46 S 4. This act shall take effect immediately.