

## 9245

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1 WITHIN TWENTY DAYS AFTER THE CLOSE OF SUCH QUARTERLY PERIOD IN WHICH A  
2 FIREARM, RIFLE, OR SHOTGUN SUBJECT TO THE FEE WAS PURCHASED.

3 (4) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, A  
4 PERSON DESCRIBED IN PARAGRAPH ONE, TWO OR THREE OF SUBDIVISION (A) OF  
5 SECTION ELEVEN HUNDRED SIXTEEN OF THIS CHAPTER, AND ANY BONA FIDE VETER-  
6 ANS ORGANIZATIONS RECEIVING FIREARMS, RIFLES, OR SHOTGUNS FOR THE SOLE  
7 USE OF CEREMONIAL PURPOSE WITH BLANK AMMUNITION, EXEMPT FROM THE TAXES  
8 IMPOSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER PURSUANT TO PARAGRAPH  
9 FOUR OF SUBDIVISION (A) OF SECTION ELEVEN HUNDRED SIXTEEN OF THIS CHAP-  
10 TER, SHALL NOT BE SUBJECT TO THE FEE IMPOSED UNDER THIS SECTION.

11 (C) THE FEE IMPOSED BY THIS SECTION SHALL BE ADMINISTERED AND  
12 COLLECTED IN A LIKE MANNER AS THE TAXES IMPOSED UNDER ARTICLE  
13 TWENTY-EIGHT OF THIS CHAPTER, AND THE DEFINITIONS AND THE PROVISIONS  
14 APPLICABLE TO THE ADMINISTRATION, COLLECTION, DETERMINATION, ENFORCE-  
15 MENT, AND DISPOSITION OF THE TAXES IMPOSED BY ARTICLE TWENTY-EIGHT OF  
16 THIS CHAPTER SHALL APPLY TO THE FEE IMPOSED BY THIS SECTION INsofar AS  
17 SUCH PROVISIONS CAN BE MADE APPLICABLE TO SUCH FEE WITH THE LIMITATIONS  
18 SET FORTH HEREIN AND SUCH MODIFICATIONS AS MAY BE NECESSARY IN ORDER TO  
19 ADAPT SUCH PROVISIONS TO THE FEE IMPOSED. SUCH PROVISIONS SHALL APPLY  
20 WITH THE SAME FORCE AND EFFECT AS IF THE LANGUAGE OF SUCH PROVISIONS HAD  
21 BEEN SET FORTH IN FULL IN THIS SECTION AND HAD BEEN EXPRESSLY REFERRED  
22 TO THE FEE IMPOSED BY THIS SECTION EXCEPT TO THE EXTENT THAT ANY OF SUCH  
23 PROVISIONS IS EITHER INCONSISTENT WITH OR IS NOT RELEVANT TO THIS  
24 SECTION. PROVIDED, HOWEVER, ANY REFERENCE IN THIS ARTICLE TO THE TERM  
25 "TAX" SHALL BE READ AS "FEE" AND THE EXEMPTION PROVISIONS IN PART THREE  
26 OF ARTICLE TWENTY-EIGHT OF THIS CHAPTER SHALL NOT APPLY EXCEPT AS  
27 PROVIDED IN PARAGRAPH FOUR OF SUBDIVISION (B) OF THIS SECTION. EVERY  
28 PERSON REQUIRED TO COLLECT OR PAY THE FEE PROVIDED FOR IN THIS SECTION  
29 SHALL KEEP SUCH RECORDS AS MAY BE REQUIRED BY THE COMMISSIONER.

30 (D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES PURSUANT  
31 TO THIS SECTION SHALL BE CREDITED TO THE GUN VIOLENCE RESEARCH FUND AND  
32 USED ONLY FOR THESE PURPOSES ENUMERATED IN SECTION EIGHTY-SIX OF THE  
33 STATE FIANCEE LAW.

34 S 2. The state finance law is amended by adding a new section 86 to  
35 read as follows:

36 S 86. GUN VIOLENCE RESEARCH FUND. 1. THERE IS HEREBY ESTABLISHED IN  
37 THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE  
38 COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "GUN VIOLENCE RESEARCH  
39 FUND".

40 2. SUCH FUNDS SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
41 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION ELEVEN  
42 HUNDRED EIGHTY OF THE TAX LAW AND ALL OTHER MONIES APPROPRIATED, CREDIT-  
43 ED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO  
44 LAW. NOTHING CONTAINED HEREIN SHALL PREVENT THE STATE FROM RECEIVING  
45 GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN  
46 THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

47 3. (A) MONIES OF THE FUND, SHALL BE EXPENDED TO THE DEPARTMENT OF  
48 HEALTH AND THE STATE UNIVERSITY OF NEW YORK FOR GUN VIOLENCE RESEARCH.  
49 THE DEPARTMENT OF HEALTH AND THE STATE UNIVERSITY OF NEW YORK SHALL  
50 PROVIDE GRANTS FOR THE PURPOSE OF ADVANCING AND FINANCING GUN VIOLENCE  
51 RESEARCH.

52 (B) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF SECTION ONE HUNDRED  
53 SIXTY-THREE OF THIS CHAPTER, THE COMMISSIONER OF HEALTH AND THE CHANCEL-  
54 LOR OF THE STATE UNIVERSITY OF NEW YORK ARE AUTHORIZED TO ENTER INTO A  
55 CONTRACT OR CONTRACTS UNDER PARAGRAPH (A) OF THIS SUBDIVISION WITHOUT A

1 COMPETITIVE BID OR REQUEST FOR PROPOSAL PROCESS, PROVIDED, HOWEVER,  
2 THAT:

3 (I) THE DEPARTMENT OF HEALTH AND THE STATE UNIVERSITY OF NEW YORK  
4 SHALL POST ON ITS WEBSITE, FOR A PERIOD OF NO LESS THAN THIRTY DAYS:

5 (1) A DESCRIPTION OF THE PROPOSED SERVICES TO BE PROVIDED PURSUANT TO  
6 THE CONTRACTOR OR CONTRACTORS;

7 (2) THE CRITERIA FOR SELECTION OF A CONTRACTOR OR CONTRACTORS;

8 (3) THE PERIOD OF TIME DURING WHICH A PROSPECTIVE CONTRACTOR MAY SEEK  
9 SELECTION, WHICH SHALL BE NO LESS THAN THIRTY DAYS AFTER SUCH INFORMA-  
10 TION IS FIRST POSTED ON THE WEBSITE; AND

11 (4) THE MANNER BY WHICH A PROSPECTIVE CONTRACTOR MAY SEEK SUCH  
12 SELECTION, WHICH MAY INCLUDE SUBMISSION BY ELECTRONIC MEANS;

13 (II) ALL REASONABLE AND RESPONSIVE SUBMISSIONS THAT ARE RECEIVED FROM  
14 PROSPECTIVE CONTRACTORS IN A TIMELY FASHION SHALL BE REVIEWED BY THE  
15 COMMISSIONER OF HEALTH AND THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW  
16 YORK; AND

17 (III) THE COMMISSIONER OF HEALTH AND THE CHANCELLOR OF THE STATE  
18 UNIVERSITY OF NEW YORK SHALL SELECT SUCH CONTRACTOR OR CONTRACTORS THAT,  
19 IN THEIR DISCRETION, ARE BEST SUITED TO SERVE THE PURPOSES OF THIS  
20 SECTION.

21 4. (A) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMP-  
22 TROLLER SHALL CERTIFY TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE  
23 SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE  
24 COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE  
25 AMOUNT OF MONEY DEPOSITED BY EACH SOURCE IN THE NEW YORK STATE GUN  
26 VIOLENCE RESEARCH FUND DURING THE PRECEDING CALENDAR YEAR AS THE RESULT  
27 OF REVENUE DERIVED PURSUANT TO SECTION ELEVEN HUNDRED EIGHTY OF THE TAX  
28 LAW AND FROM ALL OTHER SOURCES.

29 (B) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER  
30 OF HEALTH IN COORDINATION WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF  
31 NEW YORK SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF  
32 THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE  
33 COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE CHAIR  
34 OF THE SENATE COMMITTEE ON HEALTH, THE CHAIR OF THE ASSEMBLY HEALTH  
35 COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL  
36 INCLUDE HOW MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALEN-  
37 DAR YEAR AND SHALL INCLUDE:

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

40 (II) RECIPIENTS OF AWARDS FROM THE FUND;

41 (III) THE AMOUNT AWARDED TO EACH;

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

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

47 5. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
48 THE COMPTROLLER ON VOUCHERS APPROVED BY THE COMPTROLLER.

49 6. CONTRACTORS AWARDED GRANTS FROM FUNDS DISBURSED FROM THIS SECTION  
50 FOR THE PURPOSE OF GUN VIOLENCE RESEARCH SHALL, WHEN THEIR RESEARCH HAS  
51 CONCLUDED, PROVIDE A WRITTEN REPORT OF THEIR FINDINGS TO THE TEMPORARY  
52 PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE  
53 SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS  
54 COMMITTEE, THE CHAIR OF THE SENATE COMMITTEE ON HEALTH, THE CHAIR OF THE  
55 ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.

1 S 3. This act shall take effect immediately and shall apply to taxable  
2 years, beginning on or after January 1, 2016; provided, however, section  
3 one of this act shall take effect June 1, 2016 and shall apply in  
4 accordance with the applicable transitional provisions in sections 1106  
5 and 1217 of the tax law. This act shall be deemed repealed in the event  
6 that congress authorizes funding for gun violence research to the  
7 centers for disease control and prevention; provided that the comp-  
8 troller shall notify the legislative bill drafting commission upon the  
9 occurrence of such enactment by the congress in order that the commis-  
10 sion may maintain an accurate and timely effective data base of the  
11 official text of the laws of the state of New York in furtherance of  
12 effecting the provisions of section 44 of the legislative law and  
13 section 70-b of the public officers law.