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

1485--A

Cal. No. 962

2015-2016 Regular Sessions

I N  S E N A T E

January 12, 2015

Introduced by Sens. LAVALLE, GOLDEN, LARKIN, MARCHIONE, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer" and to amend the state finance law, in relation to establishing the cure childhood cancer trust fund

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-cc to read as follows:

S 404-CC. DISTINCTIVE "CURE CHILDHOOD CANCER" PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL UPON REQUEST BE ISSUED A DISTINCTIVE PLATE IN SUPPORT OF CHILDHOOD CANCER RESEARCH BEARING THE WORDS "CURE CHILDHOOD CANCER". APPLICATION FOR SUCH PLATES SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. ANY DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-OO OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINE-

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

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TY-FIVE-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE DESIGN, PRODUCTION, ADVERTISING AND DISTRIBUTION OF DISTINCTIVE LICENSE PLATES IN ACCORDANCE WITH SUCH SECTION NINETY-FIVE-G. PROVIDED, HOWEVER, THAT ANNUAL SURCHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE "CURE CHILDHOOD CANCER RESEARCH FUND" ESTABLISHED PURSUANT TO SECTION NINETY-NINE-Z OF THE STATE FINANCE LAW AND SHALL BE USED FOR RESEARCH PROGRAMS UNDERTAKEN PURSUANT TO SECTION NINETY-NINE-Z OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 99-z to read as follows:

S 99-Z. CURE CHILDHOOD CANCER RESEARCH FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER A FUND TO BE KNOWN AS THE "CURE CHILDHOOD CANCER RESEARCH FUND".

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-CC OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN 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.

2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMPTROLLER SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE AND CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY DEPOSITED IN THE CURE CHILDHOOD CANCER RESEARCH FUND DURING THE PRECEDING CALENDAR YEAR AS THE RESULT OF REVENUE DERIVED PURSUANT TO SECTION FOUR HUNDRED FOUR-CC OF THE VEHICLE AND TRAFFIC LAW AND FROM GRANTS, GIFTS AND BEQUESTS.

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, 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 DISBURSED 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.

3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR CHILDHOOD CANCER RESEARCH PROJECTS APPROVED BY THE DEPARTMENT OF HEALTH IN NEW YORK STATE. AS USED IN THIS SECTION, THE TERM "CHILDHOOD CANCER RESEARCH PROJECT" MEANS SCIENTIFIC RESEARCH INTO THE CAUSES, PREVENTION, SCREENING, TREATMENT AND CURE OF CHILDHOOD CANCERS.

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 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.