

1657--A

2015-2016 Regular Sessions

I N   S E N A T E

January 13, 2015

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Introduced by Sens. ROBACH, PANEPINTO -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

1     Section 1. The public health law is amended by adding a new article  
2     27-CCC to read as follows:

3                                 ARTICLE 27-CCC

4     LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM  
5     SECTION 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND  
6                 TREATMENT.

7     S 2747. LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-  
8     MENT. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT A PROGRAM  
9     TO PROMOTE RESEARCH, EDUCATION AND TREATMENT REGARDING LEUKEMIA, LYMPHO-  
10    MA AND MYELOMA. TO CARRY OUT THE PURPOSES OF THIS SECTION, THE COMMIS-  
11    SIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

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

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

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

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

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

3 S 209-J. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION  
4 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-  
5 ARY FIRST, TWO THOUSAND SEVENTEEN, A TAXPAYER IN ANY TAXABLE YEAR MAY  
6 ELECT TO CONTRIBUTE TO THE SUPPORT OF THE LEUKEMIA, LYMPHOMA AND MYELOMA  
7 RESEARCH, EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN  
8 ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE STATE TAX  
9 OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON THE  
10 CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIB-  
11 UTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES  
12 COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA,  
13 LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT FUND AND SHALL BE  
14 USED ONLY FOR THOSE PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-PPPP OF  
15 THE STATE FINANCE LAW.

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

18 S 630-E. GIFT FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION  
19 AND TREATMENT. EFFECTIVE FOR ANY TAX YEAR COMMENCING ON OR AFTER JANU-  
20 ARY FIRST, TWO THOUSAND SEVENTEEN, AN INDIVIDUAL IN ANY TAXABLE YEAR MAY  
21 ELECT TO CONTRIBUTE TO THE LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH,  
22 EDUCATION AND TREATMENT FUND. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE  
23 DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH  
24 INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME  
25 TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITH-  
26 STANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSUANT TO  
27 THIS SECTION SHALL BE CREDITED TO THE LEUKEMIA, LYMPHOMA AND MYELOMA  
28 RESEARCH, EDUCATION AND TREATMENT FUND AND USED ONLY FOR THOSE PURPOSES  
29 ENUMERATED IN SECTION NINETY-SEVEN-PPPP OF THE STATE FINANCE LAW.

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

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

37 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
38 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO  
39 HUNDRED NINE-J AND SECTION SIX HUNDRED THIRTY-E OF THE TAX LAW AND ALL  
40 OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY  
41 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION  
42 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE  
43 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO  
44 THE FUND ACCORDING TO LAW.

45 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR LEUKEMIA, LYMPHOMA  
46 AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROJECTS. AS USED IN THIS  
47 SECTION, "LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREAT-  
48 MENT PROJECTS" MEANS RESEARCH, EDUCATION AND TREATMENT PROJECTS, INCLUD-  
49 ING GRANTS FOR LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND  
50 TREATMENT, WHICH, PURSUANT TO SECTION TWENTY-SEVEN HUNDRED FORTY-SEVEN  
51 OF THE PUBLIC HEALTH LAW, ARE APPROVED BY THE DEPARTMENT OF HEALTH.  
52 SUCH GRANTS MAY INCLUDE, AMONG OTHERS, GRANTS TO PUBLIC AND PRIVATE  
53 HOSPITALS, MEDICAL CENTERS, MEDICAL SCHOOLS AND OTHER ORGANIZATIONS.

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

1       5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE  
2 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE  
3 END OF THAT FISCAL YEAR.  
4       S 5. This act shall take effect immediately and shall apply to taxable  
5 years commencing on or after January 1, 2017.