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

5492

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. MARCELLINO -- (at request of the State Comptroller) -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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:

Section 1. Subdivision (a) of section 83 of the state finance law is amended by adding a new paragraph 1-a to read as follows:

1-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION 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 RECEIVED PURSUANT TO SECTION SIX HUNDRED TWENTY-FIVE OF THE TAX LAW 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 2. Section 84 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 CHAIRPERSON OF THE NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY SHALL

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

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

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.

S 4. Section 97-mmmm 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 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 5. Section 99-v of the state finance law, as added by chapter 428 of the laws of 2014, 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 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.

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

(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 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; [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.

S 9. Section 79 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 CHAIRMAN OF THE BOARD OF DIRECTORS OF THE WORLD TRADE CENTER MEMORIAL FOUNDATION 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 10. Section 99-q 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 STATE FIRE ADMINISTRATOR 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 11. Section 99-u of the state finance law, as added by section 2 of part GG of chapter 59 of the laws of 2013, 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 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 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 12. Subdivision 3 of section 22 of the state finance law is amended by adding a new paragraph j to read as follows:

J. INCLUDE A SUMMARY FINANCIAL PLAN FOR THE FUNDS OF THE STATE RECEIVING TAX CHECK-OFF 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 13. The state finance law is amended by adding a new section 71-b to read as follows:

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

2. THE HEAD OF THE AGENCY OR ENTITY ADMINISTERING THE EXPENDITURE OF TAX CHECK-OFF MONIES SHALL REPORT ANNUALLY ON THE USE OF SUCH MONIES 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 THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS USED FOR SUCH DISBURSEMENTS, RECIPIENTS OF AWARDS FROM THE FUND, THE AMOUNT AWARDED TO EACH, THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED, AND 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 14. This act shall take effect immediately; provided, however, that the provisions of section thirteen of this act shall apply to funds established on and after such date.