

632--A

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015

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Introduced by Sens. CARLUCCI, CROCI, LARKIN, LATIMER, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- 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:

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

LBD02004-08-5

1 S 95-H. MENTAL ILLNESS ANTI-STIGMA FUND. 1. THERE IS HEREBY ESTAB-  
2 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE  
3 AND THE STATE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "MENTAL  
4 ILLNESS ANTI-STIGMA FUND".

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

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

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

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

25 S 7.47 MENTAL ILLNESS ANTI-STIGMA GRANTS.

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

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

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

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

48 S 4. This act shall take effect immediately.