

1384

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. LENTOL, RIVERA -- Multi-Sponsored by -- M. of A. CAHILL, MARKEY, PEOPLES-STOKES -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law and the tax law, in relation to establishing the voluntary recovery fund

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

1 Section 1. The state finance law is amended by adding a new section
2 97-m to read as follows:

3 S 97-M. VOLUNTARY RECOVERY FUND. 1. THERE IS HEREBY ESTABLISHED IN THE
4 CUSTODY OF THE STATE COMPTROLLER A SPECIAL FUND TO BE KNOWN AS THE
5 VOLUNTARY RECOVERY FUND.

6 2. SUCH FUND SHALL CONSIST OF ALL MONEYS RECEIVED PURSUANT TO SUBDIVI-
7 SION THREE OF SECTION ONE HUNDRED SEVENTY-ONE-A OF THE TAX LAW, ALL
8 MONEYS APPROPRIATED FOR THE PURPOSE OF SUCH FUND, ALL MONEYS TRANSFERRED
9 TO SUCH FUND PURSUANT TO LAW, CONTRIBUTIONS CONSISTING OF PROMISES OR
10 GRANTS OF ANY MONEY OR PROPERTY OF ANY KIND OR VALUE, OR ANY OTHER THING
11 OF VALUE, INCLUDING GRANTS OR OTHER FINANCIAL ASSISTANCE FROM ANY AGENCY
12 OF GOVERNMENT AND ALL MONEYS REQUIRED BY THE PROVISIONS OF THIS SECTION
13 OR ANY OTHER LAW TO BE PAID INTO OR CREDITED TO THIS FUND.

14 3. MONEYS OF THE FUND, WHEN ALLOCATED, SHALL BE AVAILABLE TO THE
15 COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
16 AND SHALL BE USED TO PROVIDE FINANCIAL SUPPORT FOR ORGANIZATIONS
17 APPROVED BY THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE
18 SERVICES, THAT PROVIDE SPACE AND EQUIPMENT TO VOLUNTARY ADDICTION RECOV-
19 ERY PROGRAMS.

20 4. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL OR SPECIAL LAW, NO
21 MONEYS SHALL BE AVAILABLE FROM THIS FUND UNTIL A CERTIFICATE OF ALLO-
22 CATION AND A SCHEDULE OF AMOUNTS TO BE AVAILABLE THEREFOR SHALL HAVE
23 BEEN ISSUED BY THE DIRECTOR OF THE BUDGET, UPON THE RECOMMENDATION OF
24 THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE

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

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1 SERVICES, AND A COPY OF SUCH CERTIFICATE FILED WITH THE COMPTROLLER, THE
2 CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE ASSEM-
3 BLY WAYS AND MEANS COMMITTEE. SUCH CERTIFICATE MAY BE AMENDED FROM TIME
4 TO TIME BY THE DIRECTOR OF THE BUDGET, UPON THE RECOMMENDATION OF THE
5 COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES,
6 AND A COPY OF SUCH AMENDMENT SHALL BE FILED WITH THE COMPTROLLER, THE
7 CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE ASSEM-
8 BLY WAYS AND MEANS COMMITTEE.

9 5. THE MONEYS WHEN ALLOCATED, SHALL BE PAID OUT OF THE FUND ON THE
10 AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS CERTIFIED OR APPROVED
11 BY THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE
12 SERVICES, OR BY AN OFFICER OR EMPLOYEE OF THE OFFICE OF ALCOHOLISM AND
13 SUBSTANCE ABUSE SERVICES DESIGNATED BY THE COMMISSIONER.

14 6. THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE
15 SERVICES SHALL PROMULGATE RULES AND REGULATIONS PERTAINING TO THE ALLO-
16 CATION OF MONEYS FROM THIS FUND.

17 S 2. Section 171-a of the tax law, as separately amended by chapters
18 481 and 484 of the laws of 1981, is amended by adding a new subdivision
19 3 to read as follows:

20 3. BEFORE ANY TAXES, INTEREST, PENALTIES, OR FEES COLLECTED OR
21 RECEIVED BY THE COMMISSIONER PURSUANT TO ARTICLE EIGHTEEN OF THIS CHAP-
22 TER ARE DEPOSITED PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE
23 COMMISSIONER SHALL DEPOSIT ONE PERCENT OF SUCH MONEYS COLLECTED INTO THE
24 VOLUNTARY RECOVERY FUND ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-M
25 OF THE STATE FINANCE LAW.

26 S 3. This act shall take effect on the thirtieth day after it shall
27 have become a law, provided, however, that no money shall be expended
28 from the voluntary recovery fund pursuant to section 97-m of the state
29 finance law, as added by section one of this act, until the commissioner
30 of the office of alcoholism and substance abuse services has promulgated
31 rules and regulations pertaining to the allocation of moneys of such
32 fund.