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I N   A S S E M B L Y

February 4, 2016

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Introduced by M. of A. TITONE -- read once and referred to the Committee  
on Ways and Means

AN ACT to amend the tax law, in relation to providing taxpayer gifts for  
gun violence research; and to amend the state finance law, in relation  
to establishing the gun violence research fund

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

1     Section 1. The tax law is amended by adding a new section 630-e to  
2     read as follows:  
3     S 630-E. GIFT FOR THE GUN VIOLENCE RESEARCH FUND. EFFECTIVE FOR ANY  
4     TAX YEAR COMMENCING ON OR AFTER JANUARY FIRST, TWO THOUSAND SIXTEEN, A  
5     TAXPAYER IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE GUN VIOLENCE  
6     RESEARCH FUND ESTABLISHED PURSUANT TO SECTION EIGHTY-SIX OF THE STATE  
7     FINANCE LAW. SUCH CONTRIBUTION SHALL BE IN ANY WHOLE DOLLAR AMOUNT AND  
8     SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY SUCH TAXPAYER. THE  
9     COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL INCOME TAX RETURN TO  
10    ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION. NOTWITHSTANDING ANY OTHER  
11    PROVISION OF LAW, ALL REVENUES COLLECTED PURSUANT TO THIS SECTION SHALL  
12    BE CREDITED TO THE GUN VIOLENCE RESEARCH FUND AND USED ONLY FOR THOSE  
13    PURPOSES ENUMERATED IN SECTION EIGHTY-SIX OF THE STATE FINANCE LAW.  
14    S 2. The state finance law is amended by adding a new section 86 to  
15    read as follows:  
16    S 86. GUN VIOLENCE RESEARCH FUND. 1. THERE IS HEREBY ESTABLISHED IN  
17    THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXA-  
18    TION AND FINANCE A SPECIAL FUND TO BE KNOWN AS THE "GUN VIOLENCE  
19    RESEARCH FUND".  
20    2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
21    OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION SIX  
22    HUNDRED THIRTY-E OF THE TAX LAW AND ALL OTHER MONIES APPROPRIATED, CRED-  
23    ITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO  
24    LAW. NOTHING CONTAINED HEREIN SHALL PREVENT THE STATE FROM RECEIVING  
25    GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN  
26    THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

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

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1 3. (A) MONIES OF THE FUND SHALL BE EXPENDED TO THE DEPARTMENT OF  
2 HEALTH AND THE STATE UNIVERSITY OF NEW YORK FOR GUN VIOLENCE RESEARCH.  
3 THE DEPARTMENT OF HEALTH AND THE STATE UNIVERSITY OF NEW YORK SHALL  
4 PROVIDE GRANTS FOR THE PURPOSE OF ADVANCING AND FINANCING GUN VIOLENCE  
5 RESEARCH.

6 (B) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF SECTION ONE HUNDRED  
7 SIXTY-THREE OF THIS CHAPTER, THE COMMISSIONER OF HEALTH AND THE CHANCEL-  
8 LOR OF THE STATE UNIVERSITY OF NEW YORK ARE AUTHORIZED TO ENTER INTO A  
9 CONTRACT OR CONTRACTS UNDER PARAGRAPH (A) OF THIS SUBDIVISION WITHOUT A  
10 COMPETITIVE BID OR REQUEST FOR PROPOSAL PROCESS, PROVIDED, HOWEVER,  
11 THAT:

12 (I) THE DEPARTMENT OF HEALTH AND THE STATE UNIVERSITY OF NEW YORK  
13 SHALL POST ON THEIR WEBSITES, FOR A PERIOD OF NO LESS THAN THIRTY DAYS:

14 (1) A DESCRIPTION OF THE PROPOSED SERVICES TO BE PROVIDED PURSUANT TO  
15 THE CONTRACT OR CONTRACTS;

16 (2) THE CRITERIA FOR SELECTION OF A CONTRACTOR OR CONTRACTORS;

17 (3) THE PERIOD OF TIME DURING WHICH A PROSPECTIVE CONTRACTOR MAY SEEK  
18 SELECTION, WHICH SHALL BE NO LESS THAN THIRTY DAYS AFTER SUCH INFORMA-  
19 TION IS FIRST POSTED ON THE WEBSITES; AND

20 (4) THE MANNER BY WHICH A PROSPECTIVE CONTRACTOR MAY SEEK SUCH  
21 SELECTION, WHICH MAY INCLUDE SUBMISSION BY ELECTRONIC MEANS.

22 (II) ALL REASONABLE AND RESPONSIVE SUBMISSIONS THAT ARE RECEIVED FROM  
23 PROSPECTIVE CONTRACTORS IN A TIMELY FASHION SHALL BE REVIEWED BY THE  
24 COMMISSIONER OF HEALTH AND THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW  
25 YORK; AND

26 (III) THE COMMISSIONER OF HEALTH AND THE CHANCELLOR OF THE STATE  
27 UNIVERSITY OF NEW YORK SHALL SELECT SUCH CONTRACTOR OR CONTRACTORS THAT,  
28 IN THEIR DISCRETION, ARE BEST SUITED TO SERVE THE PURPOSES OF THIS  
29 SECTION.

30 4. (A) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMP-  
31 TROLLER SHALL CERTIFY TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE  
32 SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE  
33 AND CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, THE AMOUNT OF MONEY  
34 DEPOSITED BY EACH SOURCE IN THE NEW YORK STATE GUN VIOLENCE RESEARCH  
35 FUND DURING THE PRECEDING CALENDAR YEAR AS THE RESULT OF REVENUE DERIVED  
36 PURSUANT TO SECTION SIX HUNDRED THIRTY-E OF THE TAX LAW AND FROM ALL  
37 OTHER SOURCES.

38 (B) ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSIONER  
39 OF HEALTH IN COORDINATION WITH THE CHANCELLOR OF THE STATE UNIVERSITY OF  
40 NEW YORK SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF  
41 THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMIT-  
42 TEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE  
43 COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE  
44 COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW MONIES OF THE  
45 FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR AND SHALL INCLUDE:

46 (I) THE AMOUNT OF MONEY DISBURSED FROM THE FUND AND THE AWARD PROCESS  
47 USED FOR SUCH DISBURSEMENTS;

48 (II) RECIPIENTS OF AWARDS FROM THE FUND;

49 (III) THE AMOUNT AWARDED TO EACH;

50 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND

51 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-  
52 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-  
53 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL  
54 YEAR.

55 5. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
56 THE COMPTROLLER ON VOUCHERS APPROVED BY THE COMPTROLLER.

1       6. CONTRACTORS AWARDED GRANTS FROM FUNDS DISBURSED FROM THIS SECTION  
2 FOR THE PURPOSE OF GUN VIOLENCE RESEARCH SHALL, WHEN THEIR RESEARCH HAS  
3 CONCLUDED, PROVIDE A WRITTEN REPORT OF THEIR FINDINGS TO THE TEMPORARY  
4 PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE  
5 SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS  
6 COMMITTEE, THE CHAIR OF THE SENATE COMMITTEE ON HEALTH, THE CHAIR OF THE  
7 ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.  
8       S 3. This act shall take effect immediately and shall apply to all tax  
9 years commencing on and after January 1, 2016.