

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision (a) of section 83 of the state finance law is
2 amended by adding a new paragraph 1-a to read as follows:
3 1-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE COMMISSION-
4 ER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SHALL PROVIDE A WRIT-
5 TEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE
6 ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY
7 WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR
8 OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.
9 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND RECEIVED PURSUANT
10 TO SECTION SIX HUNDRED TWENTY-FIVE OF THE TAX LAW WERE UTILIZED DURING
11 THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:
12 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
13 USED FOR SUCH DISBURSEMENTS;
14 (II) RECIPIENTS OF AWARDS FROM THE FUND;
15 (III) THE AMOUNT AWARDED TO EACH;
16 (IV) THE PURPOSES FOR WHICH SUCH AWARDS WERE GRANTED; AND
17 (V) A SUMMARY FINANCIAL PLAN FOR SUCH MONIES WHICH SHALL INCLUDE ESTI-
18 MATES OF ALL RECEIPTS AND ALL DISBURSEMENTS FOR THE CURRENT AND SUCCEED-
19 ING FISCAL YEARS, ALONG WITH THE ACTUAL RESULTS FROM THE PRIOR FISCAL
20 YEAR.
21 S 2. Section 84 of the state finance law is amended by adding a new
22 subdivision 2-a to read as follows:
23 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRPERSON
24 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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1 PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,
2 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF
3 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON
4 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER
5 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND
6 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

7 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
8 USED FOR SUCH DISBURSEMENTS;

9 (II) RECIPIENTS OF AWARDS FROM THE FUND;

10 (III) THE AMOUNT AWARDED TO EACH;

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

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

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

19 2-b. On or before the first day of February each year, the commission-
20 er of health shall provide a written report to the temporary president
21 of the senate, speaker of the assembly, chair of the senate finance
22 committee, chair of the assembly ways and means committee, chair of the
23 senate committee on health, [and] chair of the assembly health
24 committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall
25 include how the monies of the fund were utilized during the preceding
26 calendar year, and shall include:

27 (i) the amount of money dispersed from the fund AND THE AWARD PROCESS
28 USED FOR SUCH DISBURSEMENTS;

29 (ii) recipients of awards from the fund;

30 (iii) the amount awarded to each; [and]

31 (iv) the purposes for which such awards were granted; AND

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

36 S 4. Section 97-mmmm of the state finance law is amended by adding a
37 new subdivision 2-a to read as follows:

38 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF
39 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN
40 REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-
41 BLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS
42 AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF
43 THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.
44 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED
45 DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

46 (I) THE AMOUNT OF MONEY DISPERSED 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.

1 S 5. Section 99-v of the state finance law, as added by chapter 428 of
2 the laws of 2014, is amended by adding a new subdivision 2-a to read as
3 follows:

4 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF
5 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS SHALL PROVIDE A WRITTEN
6 REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-
7 BLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS
8 AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF
9 THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC.
10 SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED
11 DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

12 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
13 USED FOR SUCH DISBURSEMENTS;

14 (II) RECIPIENTS OF AWARDS FROM THE FUND;

15 (III) THE AMOUNT AWARDED TO EACH;

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

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

21 S 6. Section 92-w of the state finance law is amended by adding a new
22 subdivision 2-a to read as follows:

23 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE DIRECTOR OF
24 THE DIVISION OF CRIMINAL JUSTICE SERVICES SHALL PROVIDE A WRITTEN REPORT
25 TO THE TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR
26 OF THE SENATE FINANCE COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS
27 COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEM-
28 BLY HEALTH COMMITTEE, THE STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT
29 SHALL INCLUDE HOW THE MONIES OF THE FUND WERE UTILIZED DURING THE
30 PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

31 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
32 USED FOR SUCH DISBURSEMENTS;

33 (II) RECIPIENTS OF AWARDS FROM THE FUND;

34 (III) THE AMOUNT AWARDED TO EACH;

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

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

40 S 7. Subdivision 2-b of section 89-e of the state finance law, as
41 added by section 9 of part A of chapter 60 of the laws of 2014, is
42 amended to read as follows:

43 [(2-b)] 2-B. On or before the first day of February each year, the
44 commissioner of health shall provide a written report to the temporary
45 president of the senate, speaker of the assembly, chair of the senate
46 finance committee, chair of the assembly ways and means committee, chair
47 of the senate committee on health, [and] chair of the assembly health
48 committee, THE STATE COMPTROLLER AND THE PUBLIC. Such report shall
49 include how the monies of the fund were utilized during the preceding
50 calendar year and shall include:

51 (i) the amount of money dispersed from the fund AND THE AWARD PROCESS
52 USED FOR SUCH DISBURSEMENTS;

53 (ii) recipients of awards from the fund;

54 (iii) the amount awarded to each; [and]

55 (iv) the purposes for which such awards were granted; AND

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

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

8 (b) On or before the first day of February each year, the commissioner
9 of health shall provide a written report to the temporary president of
10 the senate, speaker of the assembly, chair of the senate finance commit-
11 tee, chair of the assembly ways and means committee, chair of the senate
12 committee on health, [and] chair of the assembly health committee, THE
13 STATE COMPTROLLER AND THE PUBLIC. Such report shall include how monies
14 of the fund were utilized during the preceding calendar year and shall
15 include:

16 (i) the amount of money disbursed from the fund AND THE AWARD PROCESS
17 USED FOR SUCH DISBURSEMENTS;

18 (ii) recipients of awards from the fund;

19 (iii) the amount awarded to each; [and]

20 (iv) the purposes for which such awards were granted; AND

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

25 S 9. Section 79 of the state finance law is amended by adding a new
26 subdivision 2-a to read as follows:

27 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE CHAIRMAN OF
28 THE BOARD OF DIRECTORS OF THE WORLD TRADE CENTER MEMORIAL FOUNDATION
29 SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE,
30 SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE COMMITTEE, CHAIR OF
31 THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE SENATE COMMITTEE ON
32 HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE STATE COMPTROLLER
33 AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE MONIES OF THE FUND
34 WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND SHALL INCLUDE:

35 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
36 USED FOR SUCH DISBURSEMENTS;

37 (II) RECIPIENTS OF AWARDS FROM THE FUND;

38 (III) THE AMOUNT AWARDED TO EACH;

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

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

44 S 10. Section 99-q of the state finance law is amended by adding a new
45 subdivision 2-a to read as follows:

46 2-A. ON OR BEFORE THE FIRST DAY OF FEBRUARY EACH YEAR, THE STATE FIRE
47 ADMINISTRATOR SHALL PROVIDE A WRITTEN REPORT TO THE TEMPORARY PRESIDENT
48 OF THE SENATE, SPEAKER OF THE ASSEMBLY, CHAIR OF THE SENATE FINANCE
49 COMMITTEE, CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE, CHAIR OF THE
50 SENATE COMMITTEE ON HEALTH, CHAIR OF THE ASSEMBLY HEALTH COMMITTEE, THE
51 STATE COMPTROLLER AND THE PUBLIC. SUCH REPORT SHALL INCLUDE HOW THE
52 MONIES OF THE FUND WERE UTILIZED DURING THE PRECEDING CALENDAR YEAR, AND
53 SHALL INCLUDE:

54 (I) THE AMOUNT OF MONEY DISPERSED FROM THE FUND AND THE AWARD PROCESS
55 USED FOR SUCH DISBURSEMENTS;

56 (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.