

5902

2015-2016 Regular Sessions

I N   S E N A T E

June 10, 2015

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Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for women's cancers education and prevention and establishing the women's cancers education and prevention fund

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

1     Section 1. Subdivision 1 of section 207 of the public health law is  
2     amended by adding a new paragraph (l) to read as follows:  
3     (L) THE DANGERS OF WOMEN'S CANCERS, INCLUDING WAYS TO PREVENT AND  
4     SEVERITY OF SUCH DISEASES. FOR PURPOSES OF THIS PARAGRAPH, WOMEN'S  
5     CANCERS SHALL MEAN AND INCLUDE: CERVICAL, ENDOMETRIAL, GESTATIONAL  
6     TROPHOBLASTIC TUMOR, OVARIAN, UTERINE SARCOMA, VAGINAL, AND VULVAR.  
7     S 2. The tax law is amended by adding a new section 209-I to read as  
8     follows:  
9     S 209-I. GIFT FOR WOMEN'S CANCERS EDUCATION AND PREVENTION. A TAXPAY-  
10     ER IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE SUPPORT OF THE  
11     WOMEN'S CANCERS EDUCATION AND PREVENTION FUND. SUCH CONTRIBUTION SHALL  
12     BE IN ANY WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF THE  
13     STATE TAX OWED BY SUCH TAXPAYER. THE COMMISSIONER SHALL INCLUDE SPACE ON  
14     THE CORPORATE INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH  
15     CONTRIBUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL REVENUES  
16     COLLECTED PURSUANT TO THIS SECTION SHALL BE CREDITED TO THE WOMEN'S  
17     CANCERS EDUCATION AND PREVENTION FUND AND SHALL BE USED ONLY FOR THOSE  
18     PURPOSES ENUMERATED IN SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE  
19     LAW.  
20     S 3. Part 2 of article 22 of the tax law is amended by adding a new  
21     section 630-d to read as follows:  
22     S 630-D. GIFT FOR WOMEN'S CANCERS EDUCATION AND PREVENTION. AN INDI-  
23     VIDUAL IN ANY TAXABLE YEAR MAY ELECT TO CONTRIBUTE TO THE WOMEN'S

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

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1 CANCERS EDUCATION AND PREVENTION FUND. SUCH CONTRIBUTION SHALL BE IN ANY  
2 WHOLE DOLLAR AMOUNT AND SHALL NOT REDUCE THE AMOUNT OF STATE TAX OWED BY  
3 SUCH INDIVIDUAL. THE COMMISSIONER SHALL INCLUDE SPACE ON THE PERSONAL  
4 INCOME TAX RETURN TO ENABLE A TAXPAYER TO MAKE SUCH CONTRIBUTION.  
5 NOTWITHSTANDING ANY OTHER PROVISION OF LAW ALL REVENUES COLLECTED PURSU-  
6 ANT TO THIS SECTION SHALL BE CREDITED TO THE WOMEN'S CANCERS EDUCATION  
7 AND PREVENTION FUND AND USED ONLY FOR THOSE PURPOSES ENUMERATED IN  
8 SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW.

9 S 4. The state finance law is amended by adding a new section 97-llll  
10 to read as follows:

11 S 97-LLLL. WOMEN'S CANCERS EDUCATION AND PREVENTION FUND. 1. THERE IS  
12 HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION  
13 AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE  
14 "WOMEN'S CANCERS EDUCATION AND PREVENTION FUND".

15 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT  
16 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION TWO  
17 HUNDRED NINE-I AND SECTION SIX HUNDRED THIRTY-D OF THE TAX LAW, AND ALL  
18 OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY  
19 OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION  
20 SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE  
21 PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO  
22 THE FUND ACCORDING TO LAW.

23 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR WOMEN'S CANCERS  
24 EDUCATION AND PREVENTION PROJECTS. AS USED IN THIS SECTION, "WOMEN'S  
25 CANCERS EDUCATION AND PREVENTION PROJECTS" MEANS EDUCATIONAL PROJECTS,  
26 INCLUDING GRANTS FOR WOMEN'S CANCERS EDUCATION AND PREVENTION PROGRAMS,  
27 WHICH ARE APPROVED BY THE DEPARTMENT OF HEALTH.

28 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
29 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
30 OF HEALTH.

31 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF HEALTH SHALL ENSURE  
32 THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE  
33 END OF THAT FISCAL YEAR.

34 S 5. This act shall take effect immediately.