

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

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

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 establish-  
ing 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 ASSEM-  
BLY, 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:

16 S 95-H. MENTAL ILLNESS ANTI-STIGMA FUND. 1. THERE IS HEREBY ESTAB-  
17 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE

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

1 AND THE STATE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "MENTAL  
2 ILLNESS ANTI-STIGMA FUND".

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

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

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

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

23 S 7.47 MENTAL ILLNESS ANTI-STIGMA GRANTS.

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

27 S 4. This act shall take effect immediately.