# STATE OF NEW YORK

11179

# IN ASSEMBLY

June 13, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Barnwell) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing a gift for public hospitals on personal income tax returns; to amend the state finance law, in relation to establishing the public hospitals fund; and to amend the public health law, in relation to providing grants for public hospitals

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. The tax law is amended by adding a new section 629-b to read as follows:

**§ 629-b. Gift for public hospitals. Effective for any tax year commencing on or after January first, two thousand eighteen, an individual in any taxable year may elect to contribute to the public hospitals fund. Such contribution shall be in any whole dollar amount and shall not reduce the amount of state tax owed by such individual. The commissioner shall include space on the personal income tax return to enable a taxpayer to make such contribution. Notwithstanding any other provision of law all revenues collected pursuant to this section shall be credited to the public hospitals fund and used only for those purposes enumerated in section eighty-nine-i of the state finance law.**

§ 2. The state finance law is amended by adding a new section 89-i to read as follows:

**§ 89-i. Public hospitals fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance and the state comptroller, a special fund to be known as the "public hospitals fund".**

**2. Such fund shall consist of all revenues received pursuant to the provisions of section six hundred twenty-nine-b of the tax law, all revenues received pursuant to appropriations by the legislature, and all moneys appropriated, credited or transferred thereto from any other fund or source pursuant to law. No moneys credited to such fund pursuant to section six hundred twenty-nine-b of the tax law shall be deemed to authorize the reduction of the amount of monies otherwise appropriated**

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

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by the state for the purpose of the funding of and preventing the closure of public hospitals.

3. The monies of the fund shall be made available to the department of health for the purpose of providing grants to public hospitals.

4. The monies of the fund shall be paid out on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of health, or by an officer or employee of the department of health designated by such commissioner.

5. On or before the first day of February each year, the state comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee and chair of the assembly ways and means committee, the amount of money deposited in this fund during the preceding calendar year as the result of revenue derived pursuant to section six hundred twenty-nine-b of the tax law.

§ 3. The public health law is amended by adding a new section 2827 to read as follows:

§ 2827. Grants for public hospitals. 1. The commissioner shall establish a grant program for the funding of and preventing the closure of public hospitals throughout the state.

2. The following factors shall be considered in approving each grant:

(a) the impact of the closure of the public hospital on the surrounding communities;

(b) the extent to which there is a need for a grant to prevent the closure of the public hospital;

(c) the quality of the public hospital;

(d) the specialties of the public hospital;

(e) the size of the public hospital; and

(f) any other factor the commissioner deems appropriate.

3. On or before the first day of February each year, the commissioner shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, and the chair of the assembly ways and means committee. Such report shall include how the monies of the public hospitals fund were utilized during the preceding calendar year and shall include:

(a) the amount of money dispersed from the fund;

(b) recipients of awards from the fund;

(c) the amount awarded to each recipient; and

(d) the purposes for which such awards were granted.

§ 4. This act shall take effect immediately.