

# STATE OF NEW YORK

7021--A

Cal. No. 494

2017-2018 Regular Sessions

## IN ASSEMBLY

March 29, 2017

Introduced by M. of A. TITONE, SIMON, QUART, HYNDMAN, VANEL, D'URSO, GALEF, ARROYO, DICKENS, CAHILL, SEAWRIGHT, JAFFEE, COOK, DE LA ROSA, PICHARDO, WILLIAMS, WEPRIN, DAVILA, PELLEGRINO -- read once and referred to the Committee on Ways and Means -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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 Assembly, do enact as follows:

1 Section 1. The tax law is amended by adding a new section 630-f to  
2 read as follows:

3 § 630-f. Gift for the gun violence research fund. Effective for any  
4 tax year commencing on or after January first, two thousand eighteen, 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 § 2. The state finance law is amended by adding a new section 86 to  
15 read as follows:

16 § 86. Gun violence research fund. 1. There is hereby established in  
17 the joint custody of the state comptroller and the commissioner of tax-  
18 ation and finance a special fund to be known as the "gun violence  
19 research fund".

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

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1 2. Such fund shall consist of all revenues received by the department  
2 of taxation and finance, pursuant to the provisions of section six  
3 hundred thirty-f of the tax law and all other monies appropriated, cred-  
4 ited, or transferred thereto from any other fund or source pursuant to  
5 law. Nothing contained herein shall prevent the state from receiving  
6 grants, gifts or bequests for the purposes of the fund as defined in  
7 this section and depositing them into the fund according to law.

8 3. (a) Monies of the fund shall be expended to the department of  
9 health and the state university of New York for gun violence research.  
10 The department of health and the state university of New York shall  
11 provide grants for the purpose of advancing and financing gun violence  
12 research.

13 (b) Notwithstanding any inconsistent provision of section one hundred  
14 sixty-three of this chapter, the commissioner of health and the chancel-  
15 lor of the state university of New York are authorized to enter into a  
16 contract or contracts under paragraph (a) of this subdivision without a  
17 competitive bid or request for proposal process, provided, however,  
18 that:

19 (i) The department of health and the state university of New York  
20 shall post on their websites, for a period of no less than thirty days:

21 (1) a description of the proposed services to be provided pursuant to  
22 the contract or contracts;

23 (2) the criteria for selection of a contractor or contractors;

24 (3) the period of time during which a prospective contractor may seek  
25 selection, which shall be no less than thirty days after such informa-  
26 tion is first posted on the websites; and

27 (4) the manner by which a prospective contractor may seek such  
28 selection, which may include submission by electronic means.

29 (ii) All reasonable and responsive submissions that are received from  
30 prospective contractors in a timely fashion shall be reviewed by the  
31 commissioner of health and the chancellor of the state university of New  
32 York; and

33 (iii) The commissioner of health and the chancellor of the state  
34 university of New York shall select such contractor or contractors that,  
35 in their discretion, are best suited to serve the purposes of this  
36 section.

37 4. (a) On or before the first day of February each year, the comp-  
38 troller shall certify to the governor, temporary president of the  
39 senate, speaker of the assembly, chair of the senate finance committee  
40 and chair of the assembly ways and means committee, the amount of money  
41 deposited by each source in the New York state gun violence research  
42 fund during the preceding calendar year as the result of revenue derived  
43 pursuant to section six hundred thirty-f of the tax law and from all  
44 other sources.

45 (b) On or before the first day of February each year, the commissioner  
46 of health in coordination with the chancellor of the state university of  
47 New York shall provide a written report to the temporary president of  
48 the senate, speaker of the assembly, chair of the senate finance commit-  
49 tee, chair of the assembly ways and means committee, chair of the senate  
50 committee on health, chair of the assembly health committee, the state  
51 comptroller and the public. Such report shall include how monies of the  
52 fund were utilized during the preceding calendar year and shall include:

53 (i) the amount of money disbursed from the fund and the award process  
54 used for such disbursements;

55 (ii) recipients of awards from the fund;

56 (iii) the amount awarded to each;

1 (iv) the purposes for which such awards were granted; and  
2 (v) a summary financial plan for such monies which shall include esti-  
3 mates of all receipts and all disbursements for the current and succeed-  
4 ing fiscal years, along with the actual results from the prior fiscal  
5 year.

6 5. Monies shall be payable from the fund on the audit and warrant of  
7 the comptroller on vouchers approved by the comptroller.

8 6. Contractors awarded grants from funds disbursed from this section  
9 for the purpose of gun violence research shall, when their research has  
10 concluded, provide a written report of their findings to the temporary  
11 president of the senate, the speaker of the assembly, the chair of the  
12 senate finance committee, the chair of the assembly ways and means  
13 committee, the chair of the senate committee on health, the chair of the  
14 assembly health committee, the state comptroller and the public.

15 § 3. This act shall take effect immediately and shall apply to all tax  
16 years commencing on and after January 1, 2018.