

# STATE OF NEW YORK

1210

2017-2018 Regular Sessions

## IN SENATE

January 6, 2017

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

AN ACT to amend the vehicle and traffic law, in relation to authorizing the creation of mental health matters license plates; and to amend the state finance law, in relation to the mental illness anti-stigma fund

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 404-dd to read as follows:

3 § 404-dd. Mental Health Matters license plates. 1. Any person residing  
4 in this state shall, upon request, be issued a distinctive license plate  
5 of a design developed and approved by the commissioner in consultation  
6 with the commissioner of the office of mental health in support of  
7 ending the stigma related to mental illness research bearing the phrases  
8 "Healthy mind, healthy New York" and "End the stigma of mental illness".  
9 Application for said license plate shall be filed with the commissioner  
10 in such form and detail as the commissioner shall prescribe.

11 2. A distinctive plate issued pursuant to this section shall be issued  
12 in the same manner as other number plates upon payment of the regular  
13 registration fee prescribed by section four hundred one of this article;  
14 provided, however, that an additional annual service charge of twenty-  
15 five dollars shall be charged for such plates.

16 3. Each twenty-five dollars received as the annual service charge  
17 under this section shall be deposited to the credit of the "mental  
18 illness anti-stigma fund" established pursuant to section ninety-five-h  
19 of the state finance law and shall be used for the purpose of providing  
20 grants to organizations dedicated to eliminating the stigma attached to  
21 mental illness and persons with mental health needs pursuant to section  
22 7.47 of the mental hygiene law.

23 § 2. Subdivision 2 of section 95-h of the state finance law, as added  
24 by chapter 422 of the laws of 2015, is amended to read as follows:

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 pursuant to the  
2 provisions of section six hundred twenty-nine-a of the tax law, section  
3 four hundred four-dd of the vehicle and traffic law, all revenues  
4 received pursuant to appropriations by the legislature, and all moneys  
5 appropriated, credited or transferred thereto from any other fund or  
6 source pursuant to law. No moneys credited to such fund pursuant to  
7 section six hundred twenty-nine-a of the tax law shall be deemed to  
8 authorize the reduction of the amount of monies otherwise appropriated  
9 by the state for the purpose of eliminating the stigma attached to  
10 mental illness.

11 § 3. 1. A distinctive plate established pursuant to section 404-dd of  
12 the vehicle and traffic law shall only be designed, produced and issued  
13 upon the delivery to the department of motor vehicles of a surety bond  
14 in the amount of six thousand dollars, which shall be executed by a  
15 surety company authorized by the department of financial services to  
16 transact business in this state. Provided, however, that if the commis-  
17 sioner of motor vehicles shall have received prior to plate design,  
18 production and issuance of at least two hundred orders for such distinc-  
19 tive plate together with the additional annual service charge applicable  
20 to each such order, which shall be non-refundable, no such surety bond  
21 shall be required. All service charges collected pursuant to this  
22 section shall be deposited pursuant to the provisions of section 404-oo  
23 of the vehicle and traffic law to the credit of the department of motor  
24 vehicles distinctive plate development fund established by section 95-g  
25 of the state finance law and shall be used for the design, production,  
26 advertising and distribution of distinctive license plates in accordance  
27 with such section 95-g.

28 2. If, upon the expiration of two years following the date upon which  
29 distinctive plates in the series are first available for sale two  
30 hundred or more sets of such plates are sold, a bond delivered pursuant  
31 to this section shall be discontinued. If fewer than two hundred sets of  
32 such plates are sold by such time, the department of motor vehicles  
33 shall be entitled to recover against the bond in an amount proportionate  
34 to such shortfall.

35 § 4. This act shall take effect on the one hundred eightieth day after  
36 it shall have become a law; provided, however, that section three of  
37 this act shall take effect immediately; and provided further, however  
38 that effective immediately, the addition, amendment and/or repeal of any  
39 rule or regulation necessary for the implementation of this act on its  
40 effective date are authorized and directed to be made and completed on  
41 or before such effective date.