STATE OF NEW YORK

1210--C

Cal. No. 1040

2017-2018 Regular Sessions

IN SENATE

January 6, 2017

Introduced by Sens. ORTT, ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to authorizing the creation of mental illness anti-stigma 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:

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

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

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

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

LBD04836-08-7

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

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

2. Such fund shall consist of all revenues received pursuant to the provisions of section six hundred twenty-nine-a of the tax law, **section four hundred four-dd of the vehicle and traffic 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-a of the tax law shall be deemed to authorize the reduction of the amount of monies otherwise appropriated by the state for the purpose of eliminating the stigma attached to mental illness.

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

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

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