

# STATE OF NEW YORK

8742

## IN SENATE

May 10, 2018

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

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for leukemia, lymphoma and myeloma research, education and treatment and establishing the leukemia, lymphoma and myeloma research, education and treatment fund

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

1 Section 1. The public health law is amended by adding a new article  
2 27-CCC to read as follows:

### ARTICLE 27-CCC

4 LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM  
5 Section 2747. Leukemia, lymphoma and myeloma research, education and  
6 treatment.

7 § 2747. Leukemia, lymphoma and myeloma research, education and treat-  
8 ment. The commissioner shall establish within the department a program  
9 to promote research, education and treatment regarding leukemia, lympho-  
10 ma and myeloma. To carry out the purposes of this section, the commis-  
11 sioner shall have the following powers and duties:

12 1. to promote research, education and treatment programs designed to  
13 reduce or prevent the incidence and severity of leukemia, lymphoma and  
14 myeloma;

15 2. to accept and expend any grants, awards or other funds or appropri-  
16 ations as may be available for these purposes subject to limitations as  
17 to the approval of expenditures and audit as prescribed for state funds  
18 by the state finance law; and

19 3. to enter into contracts within the amounts available therefor as  
20 may be necessary to implement the provisions of this section.

21 § 2. The tax law is amended by adding a new section 209-L to read as  
22 follows:

23 § 209-L. Gift for leukemia, lymphoma and myeloma research, education  
24 and treatment. Effective for any tax year commencing on or after January  
25 first, two thousand nineteen, a taxpayer in any taxable year may elect  
26 to contribute to the support of the leukemia, lymphoma and myeloma

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

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1 research, education and treatment fund. Such contribution shall be in  
2 any whole dollar amount and shall not reduce the amount of the state tax  
3 owed by such taxpayer. The commissioner shall include space on the  
4 corporate income tax return to enable a taxpayer to make such contrib-  
5 ution. Notwithstanding any other provision of law, all revenues  
6 collected pursuant to this section shall be credited to the leukemia,  
7 lymphoma and myeloma research, education and treatment fund and shall be  
8 used only for those purposes enumerated in section ninety-seven-rrrr of  
9 the state finance law.

10 § 3. The tax law is amended by adding a new section 630-f to read as  
11 follows:

12 § 630-f. Gift for leukemia, lymphoma and myeloma research, education  
13 and treatment. Effective for any tax year commencing on or after Janu-  
14 ary first, two thousand nineteen, an individual in any taxable year may  
15 elect to contribute to the leukemia, lymphoma and myeloma research,  
16 education and treatment fund. Such contribution shall be in any whole  
17 dollar amount and shall not reduce the amount of state tax owed by such  
18 individual. The commissioner shall include space on the personal income  
19 tax return to enable a taxpayer to make such contribution. Notwith-  
20 standing any other provision of law all revenues collected pursuant to  
21 this section shall be credited to the leukemia, lymphoma and myeloma  
22 research, education and treatment fund and used only for those purposes  
23 enumerated in section ninety-seven-rrrr of the state finance law.

24 § 4. The state finance law is amended by adding a new section 97-rrrr  
25 to read as follows:

26 § 97-rrrr. Leukemia, lymphoma and myeloma research, education and  
27 treatment fund. 1. There is hereby established in the joint custody of  
28 the commissioner of taxation and finance and the comptroller, a special  
29 fund to be known as the "leukemia, lymphoma and myeloma research, educa-  
30 tion and treatment fund".

31 2. Such fund shall consist of all revenues received by the department  
32 of taxation and finance, pursuant to the provisions of section two  
33 hundred nine-L and section six hundred thirty-f of the tax law and all  
34 other moneys appropriated, credited, or transferred thereto from any  
35 other fund or source pursuant to law. Nothing contained in this section  
36 shall prevent the state from receiving grants, gifts or bequests for the  
37 purposes of the fund as defined in this section and depositing them into  
38 the fund according to law.

39 2-a. On or before the first day of February each year, the commission-  
40 er of health shall provide a written report to the temporary president  
41 of the senate, the speaker of the assembly, the chair of the senate  
42 finance committee, the chair of the assembly ways and means committee,  
43 the chair of the senate committee on health, the chair of the assembly  
44 health committee, the state comptroller and the public. Such report  
45 shall include how the monies of the fund were utilized during the  
46 preceding calendar year, and shall include:

47 (i) the amount of money dispersed from the fund and the award process  
48 used for such disbursements;

49 (ii) recipients of awards from the fund;

50 (iii) the amount awarded to each recipient;

51 (iv) the purposes for which such awards were granted; and

52 (v) a summary financial plan for such monies which shall include esti-  
53 mates of all receipts and all disbursements for the current and succeed-  
54 ing fiscal years, along with the actual results from the prior fiscal  
55 year.

1     3. Monies of the fund shall be expended only for leukemia, lymphoma  
2     and myeloma research, education and treatment projects. As used in this  
3     section, "leukemia, lymphoma and myeloma research, education and treat-  
4     ment projects" means research, education and treatment projects, includ-  
5     ing grants for leukemia, lymphoma and myeloma research, education and  
6     treatment, which, pursuant to section twenty-seven hundred forty-seven  
7     of the public health law, are approved by the department of health.  
8     Such grants may include, among others, grants to public and private  
9     hospitals, medical centers, medical schools and other organizations.

10    4. Monies shall be payable from the fund on the audit and warrant of  
11    the comptroller on vouchers approved and certified by the commissioner  
12    of health.

13    5. To the extent practicable, the commissioner of health shall ensure  
14    that all monies received during a fiscal year are expended prior to the  
15    end of that fiscal year.

16    § 5. This act shall take effect immediately and shall apply to taxable  
17    years commencing on or after January 1, 2019.