

# 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:

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

3 § 629-b. Gift for public hospitals. Effective for any tax year  
4 commencing on or after January first, two thousand eighteen, an individ-  
5 ual in any taxable year may elect to contribute to the public hospitals  
6 fund. Such contribution shall be in any whole dollar amount and shall  
7 not reduce the amount of state tax owed by such individual. The commis-  
8 sioner shall include space on the personal income tax return to enable a  
9 taxpayer to make such contribution. Notwithstanding any other provision  
10 of law all revenues collected pursuant to this section shall be credited  
11 to the public hospitals fund and used only for those purposes enumerated  
12 in section eighty-nine-i of the state finance law.

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

15 § 89-i. Public hospitals fund. 1. There is hereby established in the  
16 joint custody of the commissioner of taxation and finance and the state  
17 comptroller, a special fund to be known as the "public hospitals fund".

18 2. Such fund shall consist of all revenues received pursuant to the  
19 provisions of section six hundred twenty-nine-b of the tax law, all  
20 revenues received pursuant to appropriations by the legislature, and all  
21 moneys appropriated, credited or transferred thereto from any other fund  
22 or source pursuant to law. No moneys credited to such fund pursuant to  
23 section six hundred twenty-nine-b of the tax law shall be deemed to  
24 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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1 by the state for the purpose of the funding of and preventing the  
2 closure of public hospitals.

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

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

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

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

18 § 2827. Grants for public hospitals. 1. The commissioner shall estab-  
19 lish a grant program for the funding of and preventing the closure of  
20 public hospitals throughout the state.

21 2. The following factors shall be considered in approving each grant:  
22 (a) the impact of the closure of the public hospital on the surround-  
23 ing communities;

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

26 (c) the quality of the public hospital;

27 (d) the specialties of the public hospital;

28 (e) the size of the public hospital; and

29 (f) any other factor the commissioner deems appropriate.

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

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

37 (b) recipients of awards from the fund;

38 (c) the amount awarded to each recipient; and

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

40 § 4. This act shall take effect immediately.