

STATE OF NEW YORK

1354--B

Cal. No. 92

2017-2018 Regular Sessions

IN ASSEMBLY

January 11, 2017

Introduced by M. of A. CUSICK, ORTIZ, ABBATE, SCHIMMINGER, TITONE, ENGLEBRIGHT, MORELLE, PERRY, OTIS -- Multi-Sponsored by -- M. of A. AUBRY, COLTON, GUNTHER, HOOPER, LUPARDO, PEOPLES-STOKES, RIVERA -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

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

ARTICLE 27-CCC

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

§ 2747. Leukemia, lymphoma and myeloma research, education and treatment. The commissioner shall establish within the department a program to promote research, education and treatment regarding leukemia, lymphoma and myeloma. To carry out the purposes of this section, the commissioner shall have the following powers and duties:

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

2. to accept and expend any grants, awards or other funds or appropriations as may be available for these purposes subject to limitations as

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

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1 to the approval of expenditures and audit as prescribed for state funds
2 by the state finance law; and

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

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

7 § 209-L. Gift for leukemia, lymphoma and myeloma research, education
8 and treatment. Effective for any tax year commencing on or after January
9 first, two thousand nineteen, a taxpayer in any taxable year may elect
10 to contribute to the support of the leukemia, lymphoma and myeloma
11 research, education and treatment fund. Such contribution shall be in
12 any whole dollar amount and shall not reduce the amount of the state tax
13 owed by such taxpayer. The commissioner shall include space on the
14 corporate income tax return to enable a taxpayer to make such contrib-
15 ution. Notwithstanding any other provision of law, all revenues
16 collected pursuant to this section shall be credited to the leukemia,
17 lymphoma and myeloma research, education and treatment fund and shall be
18 used only for those purposes enumerated in section ninety-seven-rrrr of
19 the state finance law.

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

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

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

36 § 97-rrrr. Leukemia, lymphoma and myeloma research, education and
37 treatment fund. 1. There is hereby established in the joint custody of
38 the commissioner of taxation and finance and the comptroller, a special
39 fund to be known as the "leukemia, lymphoma and myeloma research, educa-
40 tion and treatment fund".

41 2. Such fund shall consist of all revenues received by the department
42 of taxation and finance, pursuant to the provisions of section two
43 hundred nine-L and section six hundred thirty-f of the tax law and all
44 other moneys appropriated, credited, or transferred thereto from any
45 other fund or source pursuant to law. Nothing contained in this section
46 shall prevent the state from receiving grants, gifts or bequests for the
47 purposes of the fund as defined in this section and depositing them into
48 the fund according to law.

49 2-a. On or before the first day of February each year, the commission-
50 er of health shall provide a written report to the temporary president
51 of the senate, the speaker of the assembly, the chair of the senate
52 finance committee, the chair of the assembly ways and means committee,
53 the chair of the senate committee on health, the chair of the assembly
54 health committee, the state comptroller and the public. Such report
55 shall include how the monies of the fund were utilized during the
56 preceding calendar year, and shall include:

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

3 (ii) recipients of awards from the fund;

4 (iii) the amount awarded to each recipient;

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

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

10 3. Monies of the fund shall be expended only for leukemia, lymphoma
11 and myeloma research, education and treatment projects. As used in this
12 section, "leukemia, lymphoma and myeloma research, education and treat-
13 ment projects" means research, education and treatment projects, includ-
14 ing grants for leukemia, lymphoma and myeloma research, education and
15 treatment, which, pursuant to section twenty-seven hundred forty-seven
16 of the public health law, are approved by the department of health.
17 Such grants may include, among others, grants to public and private
18 hospitals, medical centers, medical schools and other organizations.

19 4. Monies shall be payable from the fund on the audit and warrant of
20 the comptroller on vouchers approved and certified by the commissioner
21 of health.

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

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