

# STATE OF NEW YORK

4013--A

2017-2018 Regular Sessions

## IN SENATE

February 1, 2017

Introduced by Sens. ADDABBO, MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law and the state finance law, in relation to the issuance of distinctive Down's syndrome awareness license plates and the creation of the "Down's syndrome research 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. Distinctive Down's syndrome awareness license plates. 1. Any person residing in this state shall, upon request, be issued a distinctive license plate in support of Down's syndrome awareness and research bearing the phrase "Down's Syndrome Awareness" and any other phrases and design approved by the commissioner.

2. An application for such license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe.

3. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon the 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.

§ 2. The state finance law is amended by adding a new section 99-bb to read as follows:

§ 99-bb. Down's syndrome research fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance and the comptroller a fund to be known as the "Down's syndrome research fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section four hundred four-dd of the vehicle and traffic

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

LBD09103-02-7

1 law and all other moneys appropriated, credited or transferred thereto  
2 from any other fund or source pursuant to law. Nothing contained herein  
3 shall prevent the state from receiving grants, gifts or bequests for the  
4 purposes of the fund as defined in this section and depositing them into  
5 the fund according to law.

6 2-a. On or before the first day of February each year, the comptroller  
7 shall certify to the governor, temporary president of the senate, speak-  
8 er of the assembly, chair of the senate finance committee and chair of  
9 the assembly ways and means committee, the amount of money deposited in  
10 the Down's syndrome research fund during the preceding calendar year as  
11 the result of revenue derived pursuant to section four hundred four-dd  
12 of the vehicle and traffic law and from grants, gifts and bequests.

13 2-b. On or before the first day of February each year, the commission-  
14 er of developmental disabilities shall provide a written report to the  
15 temporary president of the senate, speaker of the assembly, chair of the  
16 senate finance committee, chair of the assembly ways and means commit-  
17 tee, chair of the senate committee on health, chair of the assembly  
18 health committee, the state comptroller and the public. Such report  
19 shall include how the monies of the fund were utilized during the  
20 preceding calendar year, and shall include:

21 (i) the amount of money disbursed from the fund and the award process  
22 used for such disbursements;

23 (ii) recipients of awards from the fund;

24 (iii) the amount awarded to each;

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

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

30 3. Monies of the fund shall be expended only for Down's syndrome  
31 research projects approved by the department of health in New York  
32 state. As used in this section, the term "Down's syndrome research  
33 project" means scientific research into the causes, prevention, screen-  
34 ing, treatment and cure of Down's syndrome.

35 4. Monies shall be payable from the fund on the audit and warrant of  
36 the comptroller on vouchers approved and certified by the commissioner  
37 of developmental disabilities.

38 5. To the extent practicable, the commissioner of developmental disa-  
39 bilities shall ensure that all monies received during a fiscal year are  
40 expended prior to the end of that fiscal year.

41 § 3. 1. A distinctive plate established pursuant to section 404-dd of  
42 the vehicle and traffic law shall only be designed, produced and issued  
43 upon the delivery to the department of motor vehicles of a surety bond  
44 in the amount of six thousand dollars, which shall be executed by a  
45 surety company authorized by the department of financial services to  
46 transact business in this state. Provided, however, that if the commis-  
47 sioner of motor vehicles shall have received prior to plate design,  
48 production and issuance at least two hundred orders for such distinctive  
49 plate together with the additional annual service charge applicable to  
50 each such order, which shall be non-refundable, no such surety bond  
51 shall be required. All service charges collected pursuant to this  
52 section shall be deposited pursuant to the provisions of section 404-oo  
53 of the vehicle and traffic law to the credit of the department of motor  
54 vehicles distinctive plate development fund established by section 95-g  
55 of the state finance law and shall be used for the design, production,

1 advertising and distribution of distinctive license plates in accordance  
2 with such section 95-g.

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

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