

# STATE OF NEW YORK

610--A

2017-2018 Regular Sessions

## IN SENATE

January 4, 2017

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- 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

AN ACT to amend the tax law and the state finance law, in relation to the rescued animals spay and neuter fund

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 209-K to  
2 read as follows:

3 § 209-K. Gift for rescued animals protection. Effective for any tax  
4 year commencing on or after January first, two thousand seventeen, a  
5 taxpayer in any taxable year may elect to contribute to the rescued  
6 animals spay and neuter fund. Such contribution shall be in any whole  
7 dollar amount and shall not reduce the amount of state tax owed by such  
8 taxpayer. The commissioner shall include space on the corporate income  
9 tax return to enable a taxpayer to make such contribution. Notwith-  
10 standing any other provision of law, all revenues collected pursuant to  
11 this section shall be credited to the rescued animals spay and neuter  
12 fund and shall be used only for those purposes enumerated in section  
13 ninety-five-i of the state finance law.

14 § 2. Part 2 of article 22 of the tax law is amended by adding a new  
15 section 630-e to read as follows:

16 § 630-e. Gift for rescued animals protection. Effective for any tax  
17 year commencing on or after January first, two thousand seventeen, an  
18 individual in any taxable year may elect to contribute to the rescued  
19 animals spay and neuter fund. Such contribution shall be in any whole  
20 dollar amount and shall not reduce the amount of state tax owed by such  
21 individual. The commissioner shall include space on the personal income  
22 tax return to enable an individual to make such contribution. Notwith-

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

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1 standing any other provision of law, all revenues collected pursuant to  
2 this section shall be credited to the rescued animals spay and neuter  
3 fund and shall be used only for those purposes enumerated in section  
4 ninety-five-i of the state finance law.

5 § 3. The state finance law is amended by adding a new section 95-i to  
6 read as follows:

7 § 95-i. Rescued animals spay and neuter fund. 1. There is hereby  
8 established in the joint custody of the commissioner of agriculture and  
9 markets and the comptroller a special fund to be known as the "rescued  
10 animals spay and neuter fund". The commissioner of agriculture and  
11 markets shall promulgate any rules and regulations the commissioner  
12 deems necessary to implement and regulate such fund.

13 2. Such fund shall consist of:

14 a. all revenues received by the department of taxation and finance  
15 pursuant to the provisions of sections two hundred nine-K and six  
16 hundred thirty-e of the tax law;

17 b. all revenues received pursuant to appropriation by the legislature;  
18 and

19 c. all other moneys appropriated, credited, or transferred thereto  
20 from any other fund or source pursuant to law.

21 The commissioner of taxation and finance shall report annually to the  
22 state comptroller the amounts designated for the fund pursuant to  
23 sections two hundred nine-K and six hundred thirty-e of the tax law, who  
24 shall transfer that amount to the fund. Nothing contained in this  
25 section shall prevent the state from receiving grants, gifts, or  
26 bequests for the purposes of the fund as defined in this section and  
27 depositing them into the fund.

28 3. On or before the first day of February each year, the commissioner  
29 of agriculture and markets shall provide a written report to the tempo-  
30 rary president of the senate, speaker of the assembly, chair of the  
31 senate finance committee, chair of the assembly ways and means commit-  
32 tee, chair of the senate agriculture committee, chair of the assembly  
33 agriculture committee, the state comptroller and the public. Such report  
34 shall include how the monies of the fund were utilized during the  
35 preceding calendar year, and shall include:

36 (a) the amount of money dispersed from the fund and the award process  
37 used for such disbursements;

38 (b) recipients of awards from the fund;

39 (c) the amount awarded to each;

40 (d) the purposes for which such awards were granted; and

41 (e) a summary financial plan for such monies which shall include esti-  
42 mates of all receipts and all disbursements for the current and succeed-  
43 ing fiscal years, along with the actual results from the prior fiscal  
44 year.

45 4. Moneys of the fund shall be expended for the purposes of carrying  
46 out the provisions of section one hundred seventeen-a of the agriculture  
47 and markets law. Moneys shall be paid out of the fund on the audit and  
48 warrant of the state comptroller on vouchers approved by the commis-  
49 ioner of agriculture and markets. Any interest received by the comptroller  
50 on moneys on deposit in the animal population control fund shall be  
51 retained in and become part of such fund.

52 § 4. This act shall take effect immediately.