STATE OF NEW YORK

1118--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. M. G. MILLER -- read once and referred to the Committee on Ways and Means -- 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 gifts for the support of congressional chartered veterans service organizations

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

Section 1. The tax law is amended by adding a new section 630-g to read as follows:

§ 630-g. Gift to the congressional chartered veterans service organizations fund. Effective for any tax year commencing on or after January first, two thousand nineteen, an individual may elect to contribute to the congressional chartered veterans service organizations fund created pursuant to section ninety-nine-hh of the state finance law for the support of congressional chartered veterans service organizations, who help assist veterans in gaining access to the United States department of veterans affairs benefits and the New York state division of veterans' services benefits they are entitled to. Such contribution shall be in any whole dollar amount and shall not reduce the amount of tax owed by such individual. The commissioner shall include space on the personal income tax return to enable a taxpayer to make such contribution. Notwithstanding any other provision of law, all revenue collected pursuant to this section shall be credited to the fund and used only for the purposes of the congressional chartered veterans service organizations.

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

§ 99-hh. Congressional chartered veterans service organizations fund. 1. There is hereby created in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the "congressional chartered veterans service organizations fund". Monies in

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

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the fund shall be kept separate from and not commingled with other funds held in the sole custody of the commissioner of taxation and finance.

2. Such fund shall consist of all revenues received by the department of taxation and finance, pursuant to the provisions of section six hundred thirty-g of the tax law and all other moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law. Nothing contained herein shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

3. Moneys of the fund may be invested by the state comptroller, and income from the investments of moneys deposited to this fund pursuant to section six hundred thirty-g of the tax law shall be credited solely to this fund.

4. Monies of the fund shall, after appropriation by the legislature, be made available to the division of veterans' services for grants to congressional chartered veterans service organizations who help assist veterans in gaining access to the United States department of veterans affairs benefits and the New York state division of veterans' services benefits they are entitled to. The New York state director of veterans' services shall promulgate rules and regulations necessary for the distribution of such grants.

5. To the extent practicable, the director of veterans' services shall ensure that all moneys received during a fiscal year are expended prior to the end of that fiscal year.

6. On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee and chair of the assembly ways and means committee, the amount of money deposited in the congressional chartered veterans service organizations fund during the preceding calendar year as the result of revenue derived pursuant to section six hundred thirty-g of the tax law and any income generated from investments of the moneys in the fund in accordance with subdivision three of this section.

7. On or before the first day of February each year. the director of the division of veterans' services shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate veterans, homeland security and military affairs committee, chair of the assembly veterans' affairs committee, and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year and shall include:

(a) the amount of money disbursed from the fund;

(b) the recipients of awards from the fund;

(c) the amount awarded to each recipient;

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

(e) a summary financial plan for such monies which shall include estimates of all receipts and all disbursements for the current and succeeding fiscal years, along with the actual results from the prior fiscal year.

§ 3. This act shall take effect immediately.