

# STATE OF NEW YORK

4159

2019-2020 Regular Sessions

## IN ASSEMBLY

February 1, 2019

Introduced by M. of A. RA, PICHARDO, BLAKE, GIGLIO, RAIA, PALMESANO, B. MILLER, D'URSO, STEC, GARBARINO, BYRNE, GUNTHER, BARCLAY, BRABENEC, STECK -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, HAWLEY, M. L. MILLER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to "I Support Music Education" distinctive plates; and to amend the state finance law, in relation to establishing the "I support music education" fund

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 404-ff to read as follows:

3 § 404-ff. Distinctive "I Support Music Education" license plates. 1.  
4 Any person residing in this state shall, upon request, be issued a  
5 distinctive license plate bearing the phrase "I Support Music Educa-  
6 tion". Application for said license plate shall be filed with the  
7 commissioner in such form and detail as the commissioner shall  
8 prescribe.

9 2. A distinctive plate issued pursuant to this section shall be issued  
10 in the same manner as other number plates upon payment of the regular  
11 registration fee prescribed by section four hundred one of this article;  
12 provided, however, that an additional annual service charge of twenty-  
13 five dollars shall be charged for such plates.

14 3. Each twenty-five dollars received as the annual service charge  
15 under this section shall be deposited to the credit of the "I support  
16 music education" fund established pursuant to section ninety-five-j of  
17 the state finance law and shall be used for music education programs  
18 undertaken pursuant to section ninety-five-j of the state finance law.

19 § 2. The state finance law is amended by adding a new section 95-j to  
20 read as follows:

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

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1     § 95-j. "I support music education" fund. 1. There is hereby estab-  
2 lished in the joint custody of the commissioner of taxation and finance  
3 and the comptroller a fund to be known as the "I support music educa-  
4 tion" fund.

5     2. Such fund shall consist of all revenues received pursuant to  
6 section four hundred four-ff of the vehicle and traffic law, and all  
7 other moneys appropriated, credited or transferred thereto from any  
8 other fund or source pursuant to law. Nothing contained in this section  
9 shall prevent the state from receiving grants, gifts or bequests for the  
10 purposes of the fund as defined in this section and depositing them into  
11 the fund according to law.

12     2-a. On or before the first day of February each year, the comptroller  
13 shall certify to the governor, temporary president of the senate, speak-  
14 er of the assembly, chair of the senate finance committee and chair of  
15 the assembly ways and means committee, the amount of money deposited in  
16 the "I support music education" fund during the preceding calendar year  
17 as the result of revenue derived pursuant to section four hundred four-  
18 ff of the vehicle and traffic law and from grants, gifts and bequests.

19     3. Monies of the fund shall be expended only for music education  
20 projects approved by the department of education in New York state.

21     4. Monies shall be payable from the fund on the audit and warrant of  
22 the comptroller on vouchers approved and certified by the commissioner  
23 of education.

24     § 3. 1. A distinctive plate established pursuant to section 404-ff of  
25 the vehicle and traffic law shall only be designed, produced and issued  
26 upon the delivery to the department of motor vehicles of a surety bond  
27 in the amount of six thousand dollars, which shall be executed by a  
28 surety company authorized by the department of financial services to  
29 transact business in this state. Provided, however, that if the commis-  
30 sioner of motor vehicles shall have received prior to plate design,  
31 production and issuance at least two hundred orders for such distinctive  
32 plate together with the additional annual service charge applicable to  
33 each such order, which shall be non-refundable, no such surety bond  
34 shall be required. All service charges collected pursuant to this  
35 section shall be deposited pursuant to the provisions of section 404-oo  
36 of the vehicle and traffic law to the credit of the department of motor  
37 vehicles distinctive plate development fund established by section 95-j  
38 of the state finance law and shall be used for the design, production,  
39 advertising and distribution of distinctive license plates in accordance  
40 with such section 95-j.

41     2. If, upon the expiration of two years following the date upon which  
42 distinctive plates in the series are first available for sale two  
43 hundred or more sets of such plates are sold, a bond delivered pursuant  
44 to this section shall be discontinued. If fewer than two hundred sets of  
45 such plates are sold by such time, the department of motor vehicles  
46 shall be entitled to recover against the bond in an amount proportionate  
47 to such shortfall.

48     § 4. This act shall take effect immediately; provided, however, that  
49 sections one and two of this act shall take effect on the one hundred  
50 eightieth day after it shall have become a law; and provided further,  
51 that effective immediately, the addition, amendment and/or repeal of any  
52 rule or regulation necessary for the implementation of this act on its  
53 effective date are authorized and directed to be made and completed on  
54 or before such effective date.