

# STATE OF NEW YORK

7451

2019-2020 Regular Sessions

## IN ASSEMBLY

May 3, 2019

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to a New York state vaccination awareness campaign; and to amend the tax law and the state finance law, in relation to providing a tax check off box on personal income tax return forms for the New York state vaccination awareness campaign and certain reporting requirements

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 section 2509 to read as follows:

§ 2509. New York state vaccination awareness campaign. 1. The department shall establish, and shall contract with a consultant to promote and maintain the New York state vaccination awareness campaign consistent with the immunization schedule established by the centers for disease control and prevention and the advisory committee on immunization practices.

2. The commissioner may enter into a multi-year contract for the operation and promotion of the New York state vaccination awareness campaign subject to such terms and conditions as may be contained within such contract with a not-for-profit organization that has experience working with New York state organizations that have expertise in immunization and vaccination promotional campaigns, and is affiliated with the immunization and vaccination community throughout the state. The contractor may subcontract as needed for the effective performance of the contract. All such subcontractors and the terms of such subcontracts shall be subject to approval by the commissioner.

3. The contractor shall make a report, including but not limited to, the following:

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

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1 (a) the annual dollar amount of voluntary contributions received by  
2 the contractor for the purposes of maintaining the New York state immun-  
3 ization educational and promotional campaigns and initiatives;

4 (b) a description of the promotional campaigns and initiatives imple-  
5 mented during the year; and

6 (c) accounting statements of expenditures for the purposes of main-  
7 taining the promotional campaigns and initiatives.

8 4. (a) For the period April first, two thousand twenty through March  
9 thirty-first, two thousand twenty-one, payments to the contractor shall  
10 be paid by the department.

11 (b) For the period beginning April first, two thousand twenty-one and  
12 thereafter, payments to the contractor shall be paid by the department  
13 from funds available for these purposes, including, but not limited to,  
14 the funds deposited into the New York state vaccination awareness  
15 campaign fund pursuant to section ninety-five-j of the state finance  
16 law.

17 (c) In addition, the contractor may receive and use voluntary contrib-  
18 utions.

19 § 2. The tax law is amended by adding a new section 630-g to read as  
20 follows:

21 § 630-g. Gift for the New York state vaccination awareness campaign.  
22 Effective for any tax year commencing on or after January first, two  
23 thousand twenty, an individual in any taxable year may elect to contrib-  
24 ute to the New York state vaccination awareness campaign fund. The  
25 contribution shall be in any whole dollar amount and shall not reduce  
26 the amount of state tax owed by such individual. The commissioner shall  
27 include space on the personal income tax return to enable a taxpayer to  
28 make such contribution. Notwithstanding any other provision of law all  
29 revenues collected pursuant to this section shall be credited to the New  
30 York state vaccination awareness campaign fund and used only for those  
31 purposes enumerated in section ninety-five-j of the state finance law.

32 § 3. The state finance law is amended by adding a new section 95-j to  
33 read as follows:

34 § 95-j. New York state vaccination awareness campaign fund. 1. There  
35 is hereby established in the joint custody of the commissioner of taxa-  
36 tion and finance and the comptroller, a special fund to be known as the  
37 "New York state vaccination awareness campaign fund".

38 2. Such fund shall consist of all revenues received pursuant to the  
39 provisions of section twenty-five hundred nine of the public health law  
40 and section six hundred thirty-g of the tax law, all revenues received  
41 pursuant to appropriations by the legislature, and all moneys appropri-  
42 ated, credited, or transferred thereto from any other fund or source  
43 pursuant to law. Moneys shall be payable from the fund on the audit and  
44 warrant of the comptroller on vouchers approved and certified by the  
45 commissioner of health. Nothing contained in this section shall prevent  
46 the state from receiving grants, gifts or bequests for the purposes of  
47 the fund as defined in this section and depositing them into the fund  
48 according to law. Any interest received by the comptroller on moneys on  
49 deposit in such fund shall be retained in and become part of such fund.

50 3. Moneys of the fund shall be expended only to provide grants to the  
51 New York state vaccination awareness campaign for purposes of promoting  
52 not-for-profit corporations established in this state which are incorpo-  
53 rated for the purpose of advancing and financing New York state vaccina-  
54 tion awareness and the immunization schedule established by the centers  
55 for disease control and prevention and the advisory committee on immuni-  
56 zation practices.

1 4. On or before the first day of February each year, the commissioner  
2 of the department of health shall provide a written report to the tempo-  
3 rary president of the senate, the speaker of the assembly, the chair of  
4 the senate finance committee, the chair of the assembly ways and means  
5 committee, the chair of the senate committee on health, the chair of the  
6 assembly health committee, the state comptroller and the public. Such  
7 report shall include how the monies of the fund were utilized during the  
8 preceding calendar year, and shall include:

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

11 (ii) recipients of awards from the fund;

12 (iii) the amount awarded to each;

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

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

18 § 4. This act shall take effect on the first of January next succeed-  
19 ing the date on which it shall have become a law and shall apply to  
20 taxable years beginning on or after such date. Effective immediately,  
21 the addition, amendment and/or repeal of any rule or regulation neces-  
22 sary for the implementation of this act on its effective date are  
23 authorized to be made and completed on or before such effective date.