

# STATE OF NEW YORK

8901

2019-2020 Regular Sessions

## IN ASSEMBLY

December 30, 2019

Introduced by M. of A. M. L. MILLER -- read once and referred to the  
Committee on Social Services

AN ACT to amend the social services law, the tax law and the state  
finance law, in relation to providing for taxpayer gifts for the  
multi-system use program for the developmentally and physically dis-  
abled and establishing the multi-system use program for the develop-  
mentally and physically disabled fund

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

Section 1. Article 5 of the social services law is amended by adding a  
new title 11-A to read as follows:

### TITLE 11-A

#### MULTI-SYSTEM USE PROGRAM FOR THE DEVELOPMENTALLY AND

#### PHYSICALLY DISABLED

Section 369-d. Multi-system use program for the developmentally and  
physically disabled.

§ 369-d. Multi-system use program for the developmentally and phys-  
ically disabled. 1. The commissioner shall establish within the depart-  
ment a program to provide financial assistance for disabled individuals  
to pay for fees for disability services when such individual is ineligi-  
ble for an assistance program to pay for such service due to such indi-  
vidual's participation in other assistance programs. To carry out the  
purposes of this section, the commissioner shall have the following  
powers and duties:

(a) to establish within the department a program to provide financial  
assistance for disabled individuals to pay for fees for disability  
services when such individual is ineligible for an assistance program to  
pay for such service due to such individual's participation in other  
assistance programs;

(b) to accept and expend any grants, awards or other funds or appro-  
priations as may be available for these purposes subject to limitations

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

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1 as to the approval of expenditures and audit as prescribed for state  
2 funds by the state finance law; and

3 (c) to enter into contracts within the amounts available therefor as  
4 may be necessary to implement the provisions of this section.

5 2. As used in this title, the term "disabled" shall mean a person  
6 having a disability as so defined in section two hundred ninety-two of  
7 the executive law.

8 § 2. The tax law is amended by adding a new section 209-N to read as  
9 follows:

10 § 209-N. Gift for the multi-system use program for the developmentally  
11 and physically disabled. Effective for any tax year commencing on or  
12 after January first, two thousand twenty-one, a taxpayer in any taxable  
13 year may elect to contribute to the support of the multi-system use  
14 program for the developmentally and physically disabled fund. Such  
15 contribution shall be in any whole dollar amount and shall not reduce  
16 the amount of the state tax owed by such taxpayer. The commissioner  
17 shall include space on the corporate income tax return to enable a  
18 taxpayer to make such contribution. Notwithstanding any other provision  
19 of law, all revenues collected pursuant to this section shall be credit-  
20 ed to the multi-system use program for the developmentally and phys-  
21 ically disabled fund and shall be used only for those purposes enumer-  
22 ated in section ninety-seven-tttt of the state finance law.

23 § 3. The tax law is amended by adding a new section 630-h to read as  
24 follows:

25 § 630-h. Gift for the multi-system use program for the developmentally  
26 and physically disabled. Effective for any tax year commencing on or  
27 after January first, two thousand twenty-one, an individual in any taxa-  
28 ble year may elect to contribute to the multi-system use program for the  
29 developmentally and physically disabled fund. Such contribution shall be  
30 in any whole dollar amount and shall not reduce the amount of state tax  
31 owed by such individual. The commissioner shall include space on the  
32 personal income tax return to enable a taxpayer to make such contrib-  
33 ution. Notwithstanding any other provision of law all revenues  
34 collected pursuant to this section shall be credited to the multi-system  
35 use program for the developmentally and physically disabled fund and  
36 used only for those purposes enumerated in section ninety-seven-tttt of  
37 the state finance law.

38 § 4. The state finance law is amended by adding a new section 97-tttt  
39 to read as follows:

40 § 97-tttt. Multi-system use program for the developmentally and phys-  
41 ically disabled fund. 1. There is hereby established in the joint custo-  
42 dy of the commissioner of taxation and finance and the comptroller, a  
43 special fund to be known as the "multi-system use program for the devel-  
44 opmentally and physically disabled".

45 2. Such fund shall consist of all revenues received by the department  
46 of taxation and finance, pursuant to the provisions of section two  
47 hundred nine-N and section six hundred thirty-h of the tax law and all  
48 other moneys appropriated, credited, or transferred thereto from any  
49 other fund or source pursuant to law. Nothing contained in this section  
50 shall prevent the state from receiving grants, gifts or bequests for the  
51 purposes of the fund as defined in this section and depositing them into  
52 the fund according to law.

53 2-a. On or before the first day of February each year, the commission-  
54 er of health shall provide a written report to the temporary president  
55 of the senate, the speaker of the assembly, the chair of the senate  
56 finance committee, the chair of the assembly ways and means committee,

1 the chair of the senate committee on health, the chair of the assembly  
2 health committee, the state comptroller and the public. Such report  
3 shall include how the monies of the fund were utilized during the  
4 preceding calendar year, and shall include:

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

7 (ii) recipients of awards from the fund;

8 (iii) the amount awarded to each recipient;

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

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

14 3. Monies of the fund shall be expended only for providing financial  
15 assistance for disabled individuals to pay for fees for disability  
16 services when such individual is ineligible for an assistance program to  
17 pay for such service due to such individual's participation in other  
18 assistance programs pursuant to the provisions of section three hundred  
19 sixty-nine-d of the social services law.

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

23 5. To the extent practicable, the commissioner of health shall ensure  
24 that all monies received during a fiscal year are expended prior to the  
25 end of that fiscal year.

26 § 5. This act shall take effect immediately and shall apply to taxable  
27 years commencing on or after January 1, 2021.