

STATE OF NEW YORK

4187

2019-2020 Regular Sessions

IN SENATE

March 4, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating the "4-H member" distinctive license plate; and to amend the state finance law, in relation to establishing the 4-H foundation 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 4-H member license plates. 1. Any person resid-
4 ing in this state shall, upon request, be issued a distinctive "4-H
5 member" license plate. Application for such license plate shall be
6 filed with the commissioner in such form and detail as the commissioner
7 shall prescribe.

8 2. A distinctive plate issued pursuant to this section shall be issued
9 in the same manner as other number plates upon the payment of the regu-
10 lar registration fee prescribed by section four hundred one of this
11 article; provided, however, that an additional annual service charge of
12 twenty-five dollars shall be charged for such plates. Such annual
13 service charge shall be deposited pursuant to the provisions of section
14 four hundred four-00 of this article, to the credit of the department of
15 motor vehicles distinctive plate development fund established by section
16 ninety-five-g of the state finance law, and shall be used for the
17 production, design, advertising and marketing of distinctive license
18 plates pursuant to such section ninety-five-g; provided, however, that
19 annual service charges collected in excess of six thousand dollars shall
20 be deposited to the credit of the New York 4-H foundation and shall be
21 used for furtherance of the 4-H program, pursuant to section
22 ninety-six-a of the state finance law.

23 § 2. The state finance law is amended by adding a new section 96-a to
24 read as follows:

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

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1 § 96-a. The 4-H foundation fund. 1. There is hereby established, in
2 the joint custody of the commissioner of taxation and finance and the
3 comptroller, a special fund to be known as the 4-H foundation fund.

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

11 3. Monies of the fund shall be expended only for the benefit and
12 programs of the 4-H foundation.

13 4. Monies shall be payable from the fund on the audit and warrant of
14 the comptroller on vouchers approved and certified by the commissioner
15 of agriculture and markets.

16 5. To the extent possible, the commissioner of agriculture and markets
17 shall ensure that all monies received during a fiscal year are expended
18 prior to the end of that fiscal year.

19 § 3. 1. A distinctive plate established pursuant to section 404-ff of
20 the vehicle and traffic law, as added by section one of this act, shall
21 only be designed, produced and issued upon the delivery to the depart-
22 ment of motor vehicles of a surety bond in the amount of six thousand
23 dollars, which shall be executed by a surety company authorized by the
24 department of financial services to transact business in this state.
25 Provided, however, that if the commissioner of motor vehicles shall have
26 received prior to the plate design, production and issuance of at least
27 two hundred orders for such distinctive plate together with the addi-
28 tional annual service charge applicable to each such order, which shall
29 be non-refundable, no such surety bond shall be required. All such
30 service charges shall be deposited pursuant to the provisions of section
31 404-oo of the vehicle and traffic law to the credit of the department of
32 motor vehicles distinctive plate development fund established by section
33 95-g of the state finance law and shall be used for the design,
34 production, advertising and distribution of distinctive license plates
35 in accordance with such section 95-g.

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

43 § 4. This act shall take effect immediately; provided, however, that
44 sections one and three of this act shall take effect on the one hundred
45 eightieth day after it shall have become a law; provided further, that
46 effective immediately, the addition, amendment and/or repeal of any rule
47 or regulation necessary for the implementation of this act on its effec-
48 tive date are authorized and directed to be made and completed on or
49 before such effective date.