

# STATE OF NEW YORK

5136

2019-2020 Regular Sessions

## IN SENATE

April 10, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed 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:

1 Section 1. The public health law is amended by adding a new section  
2 2509 to read as follows:

3 § 2509. New York state immunization schedule; New York state vaccina-  
4 tion awareness campaign. 1. The department shall establish the New York  
5 state immunization schedule and contract with a consultant to promote  
6 and maintain the New York state vaccination awareness campaign.

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

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

19 (a) the annual dollar amount of voluntary contributions received by  
20 the contractor for the purposes of maintaining the New York state immun-  
21 ization schedule campaign educational and promotional campaigns and  
22 initiatives;

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

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

3 (c) accounting statements of expenditures for the purposes of main-  
4 taining the New York state immunization schedule and promotional  
5 campaigns and initiatives.

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

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

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

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

19 § 630-g. Gift for the New York state vaccination awareness campaign.  
20 Effective for any tax year commencing on or after January first, two  
21 thousand twenty, an individual in any taxable year may elect to contrib-  
22 ute to the New York state vaccination awareness campaign fund. The  
23 contribution shall be in any whole dollar amount and shall not reduce  
24 the amount of state tax owed by such individual. The commissioner shall  
25 include space on the personal income tax return to enable a taxpayer to  
26 make such contribution. Notwithstanding any other provision of law all  
27 revenues collected pursuant to this section shall be credited to the New  
28 York state vaccination awareness campaign fund and used only for those  
29 purposes enumerated in section ninety-five-j of the state finance law.

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

32 § 95-j. New York state vaccination awareness campaign fund. 1. There  
33 is hereby established in the joint custody of the commissioner of taxa-  
34 tion and finance and the comptroller, a special fund to be known as the  
35 "New York state vaccination awareness campaign fund".

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

46 3. Moneys of the fund shall be expended only to provide grants to the  
47 New York state vaccination awareness campaign for purposes of promoting  
48 the New York state immunization schedule, not-for-profit corporations  
49 established in this state which are incorporated for the purpose of  
50 advancing and financing New York state vaccination awareness and the New  
51 York state immunization schedule.

52 4. On or before the first day of February each year, the commissioner  
53 of the department of health shall provide a written report to the tempo-  
54 rary president of the senate, the speaker of the assembly, the chair of  
55 the senate finance committee, the chair of the assembly ways and means  
56 committee, the chair of the senate committee on health, the chair of the

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

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

6 (ii) recipients of awards from the fund;

7 (iii) the amount awarded to each;

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

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

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