

# STATE OF NEW YORK

5869

2019-2020 Regular Sessions

## IN SENATE

May 15, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to a New York state joint eating disorder awareness campaign; and to amend the state finance law, in relation to the New York state joint eating disorder awareness campaign fund

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

1 Section 1. The mental hygiene law is amended by adding a new section  
2 7.49 to read as follows:

3 § 7.49 New York state joint eating disorder awareness campaign.

4 (a) The office, in conjunction with the department of health, shall  
5 establish, and shall contract with a consultant to promote and maintain  
6 the New York joint eating disorder awareness campaign.

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

17 (c) The contractor shall make a report, including but not limited to,  
18 the following:

19 (1) the annual dollar amount of voluntary contributions received by  
20 the contractor for the purposes of maintaining the New York state eating  
21 disorder educational and awareness campaigns and initiatives;

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

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

3 (3) accounting statements of expenditures for the purposes of main-  
4 taining the awareness campaigns and initiatives.

5 (d) (1) For the period April first, two thousand twenty through March  
6 thirty-first, two thousand twenty-one, payments to the contractor shall  
7 be paid by the department.

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

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

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

18 § 95-j. New York state joint eating disorder awareness campaign fund.

19 1. There is hereby established in the joint custody of the commissioner  
20 of taxation and finance and the comptroller, a special fund to be known  
21 as the "New York state joint eating disorder awareness campaign fund".

22 2. Such fund shall consist of all revenues received pursuant to the  
23 provisions of section 7.49 of the mental hygiene law, all revenues  
24 received pursuant to appropriations by the legislature, and all moneys  
25 appropriated, credited, or transferred thereto from any other fund or  
26 source pursuant to law. Moneys shall be payable from the fund on the  
27 audit and warrant of the comptroller on vouchers approved and certified  
28 by the commissioner of mental health. Nothing contained in this section  
29 shall prevent the state from receiving grants, gifts or bequests for the  
30 purposes of the fund as defined in this section and depositing them into  
31 the fund according to law. Any interest received by the comptroller on  
32 moneys on deposit in such fund shall be retained in and become part of  
33 such fund.

34 3. Moneys of the fund shall be expended only to provide grants to the  
35 New York state joint eating disorder awareness campaign for purposes of  
36 promoting not-for-profit corporations established in this state which  
37 are incorporated for the purpose of advancing and financing New York  
38 state eating disorder awareness.

39 4. On or before the first day of February each year, the commissioner  
40 of mental health shall provide a written report to the temporary presi-  
41 dent of the senate, the speaker of the assembly, the chair of the senate  
42 finance committee, the chair of the assembly ways and means committee,  
43 the chair of the senate committee on health, the chair of the assembly  
44 health committee, the state comptroller and the public. Such report  
45 shall include how the monies of the fund were utilized during the  
46 preceding calendar year, and shall include:

47 (a) the amount of money disbursed from the fund and the award process  
48 used for such disbursements;

49 (b) recipients of awards from the fund;

50 (c) the amount awarded to each;

51 (d) the purposes for which such awards were granted; and

52 (e) a summary financial plan for such monies which shall include esti-  
53 mates of all receipts and all disbursements for the current and succeed-  
54 ing fiscal years, along with the actual results from the prior fiscal  
55 year.

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