

STATE OF NEW YORK

6632

2019-2020 Regular Sessions

IN SENATE

July 17, 2019

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

AN ACT to amend the tax law and the state finance law, in relation to allowing taxpayers to make a gift to the abortion access fund on their personal income tax returns

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

1 Section 1. The tax law is amended by adding a new section 630-g to
2 read as follows:

3 § 630-g. Gift to the abortion access fund. Effective for any tax year
4 commencing on or after January first, two thousand twenty-one, an indi-
5 vidual in any taxable year may elect to contribute to the abortion
6 access fund. Such contribution shall be in any whole dollar amount and
7 shall not reduce the amount of state tax owed by such individual. The
8 commissioner shall include space on the personal income tax return to
9 enable a taxpayer to make such contribution. The commissioner shall also
10 ensure that a description of the abortion access fund is included within
11 the tax form preparation instruction booklet. Notwithstanding any other
12 provision of law, all revenues collected pursuant to this section shall
13 be credited to the abortion access fund and shall be used only for those
14 purposes enumerated in section ninety-nine-hh of the state finance law.

15 § 2. The state finance law is amended by adding a new section 99-hh to
16 read as follows:

17 § 99-hh. Abortion access fund. 1. There is hereby established in the
18 joint custody of the comptroller and the commissioner of health, a
19 special fund to be known as the "abortion access fund".

20 2. Such fund shall consist of all revenues received pursuant to the
21 provisions of section six hundred thirty-g of the tax law, and all other
22 monies appropriated, credited, or transferred thereto from any other
23 fund or source pursuant to law. Nothing contained herein shall prevent
24 the state from receiving grants, gifts or bequests for the purposes of

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

LBD13468-01-9

1 the fund as defined in this section and depositing them into the fund
2 according to law.

3 3. a. On or before the first day of February each year, the comp-
4 troller shall certify in a report to the governor, the temporary presi-
5 dent of the senate, the speaker of the assembly, the chair of the
6 senate finance committee and the chair of the assembly ways and means
7 committee, the amount of money deposited in the abortion access fund
8 during the preceding calendar year as the result of revenue derived
9 pursuant to section six hundred thirty-g of the tax law and from
10 grants, gifts and bequests. Such report shall include how the monies of
11 the fund were utilized during the preceding calendar year, and shall
12 include:

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

15 (ii) recipients of awards from the fund;

16 (iii) the amount awarded to each;

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

18 (v) a summary financial plan for such monies which shall include esti-
19 mates of all receipts and disbursements for the current and succeeding
20 fiscal years, along with the actual results from the prior fiscal year.

21 b. Amounts expended for abortion access funds pursuant to this section
22 shall not affect the amount that would otherwise be appropriated for
23 abortion access funds under any other provision of law.

24 c. The state shall not request, promulgate regulations to, or other-
25 wise require, any non-profit organization receiving monies from the
26 abortion access fund to divulge the name, address, photograph, license
27 number, email address, phone number, or any other personally identifying
28 information of any employee, contractor, or volunteer of such organiza-
29 tion, or any patient, or individual who sought or received funding from
30 such organization.

31 d. Any non-profit organization receiving funds from the abortion
32 access fund shall take all necessary steps to ensure the confidentiality
33 of the individuals receiving services.

34 4. Monies of the fund shall be expended, pursuant to a request for
35 proposals issued by the commissioner of health, to fund the operational
36 and programmatic expenses of not-for-profit entities that provide
37 support to individuals in need of abortion services, by addressing
38 financial and logistical barriers that prevent access to care. This
39 shall include, but is not limited to, funding for medical services and
40 logistical costs.

41 5. Monies shall be payable from the fund on the audit and warrant of
42 the comptroller on vouchers approved and certified by the commissioner
43 of health.

44 6. Nothing in this section shall be construed to authorize the state
45 or any agency of the state, to request or require any information other
46 than information required in paragraph a of subdivision three of this
47 section, from the award recipients of the abortion access fund.

48 § 3. This act shall take effect immediately.