

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 disabled and establishing the multi-system use program for the developmentally and physically disabled fund

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

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

TITLE 11-A

MULTI-SYSTEM USE PROGRAM FOR THE DEVELOPMENTALLY AND PHYSICALLY DISABLED

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

8 § 369-d. Multi-system use program for the developmentally and phys-
9 ically disabled. 1. The commissioner shall establish within the depart-
10 ment a program to provide financial assistance for disabled individuals
11 to pay for fees for disability services when such individual is ineligi-
12 ble for an assistance program to pay for such service due to such indi-
13 vidual's participation in other assistance programs. To carry out the
14 purposes of this section, the commissioner shall have the following
15 powers and duties:

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

21 (b) to accept and expend any grants, awards or other funds or appro-
22 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.

LBD14196-01-9

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.