STATE OF NEW YORK

2501

2019-2020 Regular Sessions

IN SENATE

January 25, 2019

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law and the state finance law, in relation to the administration of the state cemetery vandalism restoration fund by the state cemetery board

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

Section 1. Paragraph (c) of section 1504 of the not-for-profit corporation law is amended by adding a new subparagraph 6 to read as follows:

(6) To administer the state cemetery vandalism restoration, monument repair or removal and administration fund pursuant to section ninety-seven-r of the state finance law. Moneys of the fund, established by section ninety-seven-r of the state finance law, may be expended for the purposes provided in subparagraph three of paragraph (h) of section fifteen hundred seven of this article according to the requirements of such paragraph (h).

§ 2. Subdivisions 1 and 3 of section 97-r of the state finance law, subdivision 1 as amended by chapter 380 of the laws of 2000 and subdivision 3 as added by chapter 495 of the laws of 1988, are amended to read as follows:

1. There is hereby established in the [~~joint~~] custody of the state [~~comptroller and the commissioner of taxation and finance~~] **cemetery board** a special fund to be known as the state cemetery vandalism restoration, monument repair or removal and administration fund.

3. Moneys of the fund may be expended for the purposes provided in subparagraph three of paragraph (h) of section fifteen hundred seven of the not-for-profit corporation law according to the requirements of such paragraph (h). Moneys shall be paid out of the fund on the audit and warrant of the [~~state comptroller~~] **cemetery board** on vouchers certified or approved by [~~the secretary of state~~] **a majority vote of the cemetery**

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

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board. Such fund shall be utilized solely for the purpose under which it was created. An annual report to the state comptroller shall be provided by the cemetery board no more than sixty days following the end of the previous fiscal year, which details the funds received and expended for such fiscal year.

§ 3. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.