# STATE OF NEW YORK

4423

2019-2020 Regular Sessions

# IN SENATE

March 11, 2019

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

AN ACT to amend the public health law, the tax law and the state finance law, in relation to providing for taxpayer gifts for leukemia, lymphoma and myeloma research, education and treatment and establishing the leukemia, lymphoma and myeloma research, education and treatment fund

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

Section 1. The public health law is amended by adding a new article 27-CCC to read as follows:

**ARTICLE 27-CCC**

**LEUKEMIA, LYMPHOMA AND MYELOMA RESEARCH, EDUCATION AND TREATMENT PROGRAM**

**Section 2747. Leukemia, lymphoma and myeloma research, education and treatment.**

**§ 2747. Leukemia, lymphoma and myeloma research, education and treatment. The commissioner shall establish within the department a program to promote research, education and treatment regarding leukemia, lymphoma and myeloma. To carry out the purposes of this section, the commissioner shall have the following powers and duties:**

**1. to promote research, education and treatment programs designed to reduce or prevent the incidence and severity of leukemia, lymphoma and myeloma;**

**2. to accept and expend any grants, awards or other funds or appropriations as may be available for these purposes subject to limitations as to the approval of expenditures and audit as prescribed for state funds by the state finance law; and**

**3. to enter into contracts within the amounts available therefor as may be necessary to implement the provisions of this section.**

§ 2. The tax law is amended by adding a new section 209-M to read as follows:

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

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§ 209-M. Gift for leukemia, lymphoma and myeloma research, education and treatment. Effective for any tax year commencing on or after January first, two thousand twenty, a taxpayer in any taxable year may elect to contribute to the support of the leukemia, lymphoma and myeloma research, education and treatment fund. Such contribution shall be in any whole dollar amount and shall not reduce the amount of the state tax owed by such taxpayer. The commissioner shall include space on the corporate income tax return to enable a taxpayer to make such contribution. Notwithstanding any other provision of law, all revenues collected pursuant to this section shall be credited to the leukemia, lymphoma and myeloma research, education and treatment fund and shall be used only for those purposes enumerated in section ninety-seven-ssss of the state finance law.

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

§ 630-g. Gift for leukemia, lymphoma and myeloma research, education and treatment. Effective for any tax year commencing on or after January first, two thousand twenty, an individual in any taxable year may elect to contribute to the leukemia, lymphoma and myeloma research, education and treatment fund. Such contribution shall be in any whole dollar amount and shall not reduce the amount of state tax owed by such individual. The commissioner shall include space on the personal income tax return to enable a taxpayer to make such contribution. Notwithstanding any other provision of law all revenues collected pursuant to this section shall be credited to the leukemia, lymphoma and myeloma research, education and treatment fund and used only for those purposes enumerated in section ninety-seven-ssss of the state finance law.

§ 4. The state finance law is amended by adding a new section 97-ssss to read as follows:

§ 97-ssss. Leukemia, lymphoma and myeloma research, education and treatment fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance and the comptroller, a special fund to be known as the "leukemia, lymphoma and myeloma research, education and treatment fund".

2. Such fund shall consist of all revenues received by the department of taxation and finance, pursuant to the provisions of section two hundred nine-M and section six hundred thirty-g of the tax law and all other moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

2-a. On or before the first day of February each year, the commissioner of health shall provide a written report to the temporary president of the senate, the speaker of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate committee on health, the chair of the assembly health committee, the state comptroller and the public. Such report shall include how the monies of the fund were utilized during the preceding calendar year, and shall include:

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

(ii) recipients of awards from the fund;

(iii) the amount awarded to each recipient;

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

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

3. Monies of the fund shall be expended only for leukemia, lymphoma and myeloma research, education and treatment projects. As used in this section, "leukemia, lymphoma and myeloma research, education and treatment projects" means research, education and treatment projects, including grants for leukemia, lymphoma and myeloma research, education and treatment, which, pursuant to section twenty-seven hundred forty-seven of the public health law, are approved by the department of health. Such grants may include, among others, grants to public and private hospitals, medical centers, medical schools and other organizations.

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

5. To the extent practicable, the commissioner of health shall ensure that all monies received during a fiscal year are expended prior to the end of that fiscal year.

§ 5. This act shall take effect immediately and shall apply to taxable years commencing on or after January 1, 2020.