

# 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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1     § 209-M. Gift for leukemia, lymphoma and myeloma research, education  
2 and treatment. Effective for any tax year commencing on or after January  
3 first, two thousand twenty, a taxpayer in any taxable year may elect to  
4 contribute to the support of the leukemia, lymphoma and myeloma  
5 research, education and treatment fund. Such contribution shall be in  
6 any whole dollar amount and shall not reduce the amount of the state tax  
7 owed by such taxpayer. The commissioner shall include space on the  
8 corporate income tax return to enable a taxpayer to make such contrib-  
9 ution. Notwithstanding any other provision of law, all revenues  
10 collected pursuant to this section shall be credited to the leukemia,  
11 lymphoma and myeloma research, education and treatment fund and shall be  
12 used only for those purposes enumerated in section ninety-seven-ssss of  
13 the state finance law.

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

16     § 630-g. Gift for leukemia, lymphoma and myeloma research, education  
17 and treatment. Effective for any tax year commencing on or after Janu-  
18 ary first, two thousand twenty, an individual in any taxable year may  
19 elect to contribute to the leukemia, lymphoma and myeloma research,  
20 education and treatment fund. Such contribution shall be in any whole  
21 dollar amount and shall not reduce the amount of state tax owed by such  
22 individual. The commissioner shall include space on the personal income  
23 tax return to enable a taxpayer to make such contribution. Notwith-  
24 standing any other provision of law all revenues collected pursuant to  
25 this section shall be credited to the leukemia, lymphoma and myeloma  
26 research, education and treatment fund and used only for those purposes  
27 enumerated in section ninety-seven-ssss of the state finance law.

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

30     § 97-ssss. Leukemia, lymphoma and myeloma research, education and  
31 treatment fund. 1. There is hereby established in the joint custody of  
32 the commissioner of taxation and finance and the comptroller, a special  
33 fund to be known as the "leukemia, lymphoma and myeloma research, educa-  
34 tion and treatment fund".

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

43     2-a. On or before the first day of February each year, the commission-  
44 er of health shall provide a written report to the temporary president  
45 of the senate, the speaker of the assembly, the chair of the senate  
46 finance committee, the chair of the assembly ways and means committee,  
47 the chair of the senate committee on health, the chair of the assembly  
48 health committee, the state comptroller and the public. Such report  
49 shall include how the monies of the fund were utilized during the  
50 preceding calendar year, and shall include:

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

53     (ii) recipients of awards from the fund;

54     (iii) the amount awarded to each recipient;

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

1 (v) a summary financial plan for such monies which shall include esti-  
2 mates of all receipts and all disbursements for the current and succeed-  
3 ing fiscal years, along with the actual results from the prior fiscal  
4 year.

5 3. Monies of the fund shall be expended only for leukemia, lymphoma  
6 and myeloma research, education and treatment projects. As used in this  
7 section, "leukemia, lymphoma and myeloma research, education and treat-  
8 ment projects" means research, education and treatment projects, includ-  
9 ing grants for leukemia, lymphoma and myeloma research, education and  
10 treatment, which, pursuant to section twenty-seven hundred forty-seven  
11 of the public health law, are approved by the department of health.  
12 Such grants may include, among others, grants to public and private  
13 hospitals, medical centers, medical schools and other organizations.

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

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

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