

# STATE OF NEW YORK

5136--B

2019-2020 Regular Sessions

## IN SENATE

April 10, 2019

Introduced by Sens. CARLUCCI, HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to a New York state vaccination awareness campaign; and to amend the tax law and the state finance law, in relation to providing a tax check off box on personal income tax return forms for the New York state vaccination awareness campaign and certain reporting requirements

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

1 Section 1. The public health law is amended by adding a new section  
2 2509 to read as follows:

3 § 2509. New York state vaccination awareness campaign. 1. The depart-  
4 ment shall establish, and shall contract with a consultant to promote  
5 and maintain the New York state vaccination awareness campaign consist-  
6 ent with the immunization schedule established by the centers for  
7 disease control and prevention and the advisory committee on immuniza-  
8 tion practices.

9 2. The commissioner may enter into a multi-year contract for the oper-  
10 ation and promotion of the New York state vaccination awareness campaign  
11 subject to such terms and conditions as may be contained within such  
12 contract with a not-for-profit organization that has experience working  
13 with New York state organizations that have expertise in immunization  
14 and vaccination promotional campaigns, and is affiliated with the immun-  
15 ization and vaccination community throughout the state. The contractor  
16 may subcontract as needed for the effective performance of the contract.  
17 All such subcontractors and the terms of such subcontracts shall be  
18 subject to approval by the commissioner.

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

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1 3. The contractor shall make a report, including but not limited to,  
2 the following:

3 (a) the annual dollar amount of voluntary contributions received by  
4 the contractor for the purposes of maintaining the New York state immun-  
5 ization educational and promotional campaigns and initiatives;

6 (b) a description of the promotional campaigns and initiatives imple-  
7 mented during the year; and

8 (c) accounting statements of expenditures for the purposes of main-  
9 taining the promotional campaigns and initiatives.

10 4. (a) For the period April first, two thousand twenty through March  
11 thirty-first, two thousand twenty-one, payments to the contractor shall  
12 be paid by the department.

13 (b) For the period beginning April first, two thousand twenty-one and  
14 thereafter, payments to the contractor shall be paid by the department  
15 from funds available for these purposes, including, but not limited to,  
16 the funds deposited into the New York state vaccination awareness  
17 campaign fund pursuant to section ninety-five-j of the state finance  
18 law.

19 (c) In addition, the contractor may receive and use voluntary contrib-  
20 utions.

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

23 § 630-g. Gift for the New York state vaccination awareness campaign.  
24 Effective for any tax year commencing on or after January first, two  
25 thousand twenty, an individual in any taxable year may elect to contrib-  
26 ute to the New York state vaccination awareness campaign fund. The  
27 contribution shall be in any whole dollar amount and shall not reduce  
28 the amount of state tax owed by such individual. The commissioner shall  
29 include space on the personal income tax return to enable a taxpayer to  
30 make such contribution. Notwithstanding any other provision of law all  
31 revenues collected pursuant to this section shall be credited to the New  
32 York state vaccination awareness campaign fund and used only for those  
33 purposes enumerated in section ninety-five-j of the state finance law.

34 § 3. The state finance law is amended by adding a new section 95-j to  
35 read as follows:

36 § 95-j. New York state vaccination awareness campaign fund. 1. There  
37 is hereby established in the joint custody of the commissioner of taxa-  
38 tion and finance and the comptroller, a special fund to be known as the  
39 "New York state vaccination awareness campaign fund".

40 2. Such fund shall consist of all revenues received pursuant to the  
41 provisions of section twenty-five hundred nine of the public health law  
42 and section six hundred thirty-g of the tax law, all revenues received  
43 pursuant to appropriations by the legislature, and all moneys appropri-  
44 ated, credited, or transferred thereto from any other fund or source  
45 pursuant to law. Moneys shall be payable from the fund on the audit and  
46 warrant of the comptroller on vouchers approved and certified by the  
47 commissioner of health. Nothing contained in this section shall prevent  
48 the state from receiving grants, gifts or bequests for the purposes of  
49 the fund as defined in this section and depositing them into the fund  
50 according to law. Any interest received by the comptroller on moneys on  
51 deposit in such fund shall be retained in and become part of such fund.

52 3. Moneys of the fund shall be expended only to provide grants to the  
53 New York state vaccination awareness campaign for purposes of promoting  
54 not-for-profit corporations established in this state which are incorpo-  
55 rated for the purpose of advancing and financing New York state vaccina-  
56 tion awareness and the immunization schedule established by the centers

1 for disease control and prevention and the advisory committee on immuni-  
2 zation practices.

3 4. On or before the first day of February each year, the commissioner  
4 of the department of health shall provide a written report to the tempo-  
5 rary president of the senate, the speaker of the assembly, the chair of  
6 the senate finance committee, the chair of the assembly ways and means  
7 committee, the chair of the senate committee on health, the chair of the  
8 assembly health committee, the state comptroller and the public. Such  
9 report shall include how the monies of the fund were utilized during the  
10 preceding calendar year, and shall include:

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

13 (ii) recipients of awards from the fund;

14 (iii) the amount awarded to each;

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

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

20 § 4. This act shall take effect on the first of January next succeed-  
21 ing the date on which it shall have become a law and shall apply to  
22 taxable years beginning on or after such date. Effective immediately,  
23 the addition, amendment and/or repeal of any rule or regulation neces-  
24 sary for the implementation of this act on its effective date are  
25 authorized to be made and completed on or before such effective date.