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:

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

§ 2509. New York state vaccination awareness campaign. 1. The department shall establish, and shall contract with a consultant to promote and maintain the New York state vaccination awareness campaign consistent with the immunization schedule established by the centers for disease control and prevention and the advisory committee on immunization practices.

2. The commissioner may enter into a multi-year contract for the operation and promotion of the New York state vaccination awareness campaign subject to such terms and conditions as may be contained within such contract with a not-for-profit organization that has experience working with New York state organizations that have expertise in immunization and vaccination promotional campaigns, and is affiliated with the immunization and vaccination community throughout the state. The contractor may subcontract as needed for the effective performance of the contract. All such subcontractors and the terms of such subcontracts shall be 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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3. The contractor shall make a report, including but not limited to, the following:

(a) the annual dollar amount of voluntary contributions received by the contractor for the purposes of maintaining the New York state immunization educational and promotional campaigns and initiatives;

(b) a description of the promotional campaigns and initiatives implemented during the year; and

(c) accounting statements of expenditures for the purposes of maintaining the promotional campaigns and initiatives.

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

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

(c) In addition, the contractor may receive and use voluntary contributions.

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

§ 630-g. Gift for the New York state vaccination awareness campaign. 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 New York state vaccination awareness campaign fund. The 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 New York state vaccination awareness campaign fund and used only for those purposes enumerated in section ninety-five-j of the state finance law.

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

§ 95-j. New York state vaccination awareness campaign 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 "New York state vaccination awareness campaign fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section twenty-five hundred nine of the public health law and section six hundred thirty-g of the tax law, all revenues received pursuant to appropriations by the legislature, and all moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law. Moneys shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of health. 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. Any interest received by the comptroller on moneys on deposit in such fund shall be retained in and become part of such fund.

3. Moneys of the fund shall be expended only to provide grants to the New York state vaccination awareness campaign for purposes of promoting not-for-profit corporations established in this state which are incorporated for the purpose of advancing and financing New York state vaccination awareness and the immunization schedule established by the centers

for disease control and prevention and the advisory committee on immunization practices.

4. On or before the first day of February each year, the commissioner of the department 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 disbursed from the fund and the award process used for such disbursements;

(ii) recipients of awards from the fund;

(iii) the amount awarded to each;

(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.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to taxable years beginning on or after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.