STATE OF NEW YORK

5869

2019-2020 Regular Sessions

IN SENATE

May 15, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to a New York state joint eating disorder awareness campaign; and to amend the state finance law, in relation to the New York state joint eating disorder awareness campaign fund

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

Section 1. The mental hygiene law is amended by adding a new section 7.49 to read as follows:

§ 7.49 New York state joint eating disorder awareness campaign.

(a) The office, in conjunction with the department of health, shall establish, and shall contract with a consultant to promote and maintain the New York joint eating disorder awareness campaign.

(b) The commissioner may enter into a multi-year contract for the operation and promotion of the New York state joint eating disorder 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 eating disorder awareness campaigns, and is affiliated with the eating disorder 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.

(c) The contractor shall make a report, including but not limited to, the following:

(1) the annual dollar amount of voluntary contributions received by the contractor for the purposes of maintaining the New York state eating disorder educational and awareness campaigns and initiatives;

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

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(2) a description of the awareness campaigns and initiatives implemented during the year; and

(3) accounting statements of expenditures for the purposes of maintaining the awareness campaigns and initiatives.

(d) (1) 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.

(2) 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 joint eating disorder awareness campaign fund pursuant to section ninety-five-j of the state finance law.

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

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

§ 95-j. New York state joint eating disorder 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 joint eating disorder awareness campaign fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section 7.49 of the mental hygiene 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 mental 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 joint eating disorder 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 eating disorder awareness.

4. On or before the first day of February each year, the commissioner of mental 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:

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

(b) recipients of awards from the fund;

(c) the amount awarded to each;

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

(e) 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. 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.