

STATE OF NEW YORK

1147

2021-2022 Regular Sessions

IN SENATE

January 7, 2021

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

AN ACT to amend the public health law, in relation to establishing a municipal epinephrine bulk purchase program; and to amend the tax law and the state finance law, in relation to establishing the municipal epinephrine bulk purchase fund and providing for taxpayer gifts there-to

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

1 Section 1. Section 206 of the public health law is amended by adding a
2 new subdivision 31 to read as follows:

3 31. The commissioner is authorized to approve and implement a municipi-
4 pal epinephrine bulk purchase program designed to assist municipalities
5 to make bulk purchases of epinephrine for use by municipal first respon-
6 der agencies and elementary and secondary schools in such municipality.
7 The commissioner may establish rules and regulations pertaining to
8 assisting municipalities with the purchasing and distribution of
9 epinephrine by municipalities.

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

12 § 209-N. Gift for municipal epinephrine bulk purchases. A taxpayer in
13 any taxable year may elect to contribute to the support of the municipal
14 epinephrine bulk purchase fund. Such contribution shall be in any whole
15 dollar amount and shall not reduce the amount of the state tax owed by
16 such taxpayer. The commissioner shall include space on the corporate
17 income tax return to enable a taxpayer to make such contribution.
18 Notwithstanding any other provision of law, all revenues collected
19 pursuant to this section shall be credited to the municipal epinephrine
20 bulk purchase fund and shall be used only for those purposes enumerated
21 in section ninety-seven-uuuu of the state finance law.

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

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

3 § 630-i. Gift for municipal epinephrine bulk purchases. An individual
4 in any taxable year may elect to contribute to the municipal epinephrine
5 bulk purchase fund. Such contribution shall be in any whole dollar
6 amount and shall not reduce the amount of state tax owed by such indi-
7 vidual. The commissioner shall include space on the personal income tax
8 return to enable a taxpayer to make such contribution. Notwithstanding
9 any other provision of law, all revenues collected pursuant to this
10 section shall be credited to the municipal epinephrine bulk purchase
11 fund and used only for those purposes enumerated in section ninety-sev-
12 en-uuuu of the state finance law.

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

15 § 97-uuuu. Municipal epinephrine bulk purchase fund. 1. There is here-
16 by established in the joint custody of the commissioner of taxation and
17 finance and the comptroller, a special fund to be known as the "muni-
18 pal epinephrine bulk purchase fund".

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

27 3. Monies of the fund shall be expended to provide price reductions
28 for municipalities purchasing epinephrine for municipal first responder
29 agencies and elementary and secondary schools located within such muni-
30 cipalities pursuant to the municipal epinephrine bulk purchase program
31 established by the commissioner of health pursuant to subdivision thir-
32 ty-one of section two hundred six of the public health law.

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

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

39 6. On or before the first day of February each year, the commissioner
40 of health shall provide a written report to the temporary president of
41 the senate, speaker of the assembly, chair of the senate finance commit-
42 tee, chair of the assembly ways and means committee, chair of the senate
43 committee on health, chair of the assembly health committee, the state
44 comptroller and the public. Such report shall include how the monies of
45 the fund were utilized during the preceding calendar year, and shall
46 include:

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

49 (b) recipients of awards from the fund;

50 (c) the amount awarded to each recipient;

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

52 (e) a summary financial plan for such monies which shall include esti-
53 mates of all receipts and all disbursements for the current and succeed-
54 ing fiscal years, along with the actual results from the prior fiscal
55 year.

56 § 5. This act shall take effect immediately.