

STATE OF NEW YORK

4069--A

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sens. ADDABBO, BORRELLO, BRESLIN, GAUGHRAN, HOYLMAN, MYRIE, PALUMBO, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law and the state finance law, in relation to gifts for the support of congressional chartered veterans service organizations

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

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

3 § 630-k. Gift to the congressional chartered veterans service organ-
4 izations fund. Effective for any tax year commencing on or after January
5 first, two thousand twenty-three, an individual may elect to contribute
6 to the congressional chartered veterans service organizations fund
7 created pursuant to section ninety-nine-pp of the state finance law for
8 the support of congressional chartered veterans service organizations,
9 who help assist veterans in gaining access to the United States depart-
10 ment of veterans affairs benefits and the New York state division of
11 veterans' services benefits they are entitled to. Such contribution
12 shall be in any whole dollar amount and shall not reduce the amount of
13 tax owed by such individual. The commissioner shall include space on the
14 personal income tax return to enable a taxpayer to make such contrib-
15 ution. Notwithstanding any other provision of law, all revenue collected
16 pursuant to this section shall be credited to the fund and used only for
17 the purposes of the congressional chartered veterans service organiza-
18 tions.

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

LBD03403-02-2

1 § 2. The state finance law is amended by adding a new section 99-pp to
2 read as follows:

3 § 99-pp. Congressional chartered veterans service organizations fund.

4 1. There is hereby created in the joint custody of the state comptroller
5 and the commissioner of taxation and finance a fund to be known as the
6 "congressional chartered veterans service organizations fund". Monies in
7 the fund shall be kept separate from and not commingled with other funds
8 held in the sole custody of the commissioner of taxation and finance.

9 2. Such fund shall consist of all revenues received by the department
10 of taxation and finance, pursuant to the provisions of section six
11 hundred thirty-k of the tax law and all other moneys appropriated, cred-
12 ited, or transferred thereto from any other fund or source pursuant to
13 law. Nothing contained herein shall prevent the state from receiving
14 grants, gifts or bequests for the purposes of the fund as defined in
15 this section and depositing them into the fund according to law.

16 3. Moneys of the fund may be invested by the state comptroller, and
17 income from the investments of moneys deposited to this fund pursuant to
18 section six hundred thirty-k of the tax law shall be credited solely to
19 this fund.

20 4. Monies of the fund shall, after appropriation by the legislature,
21 be made available to the division of veterans' services for grants to
22 congressional chartered veterans service organizations who help assist
23 veterans in gaining access to the United States department of veterans
24 affairs benefits and the New York state division of veterans' services
25 benefits they are entitled to. The New York state director of veterans'
26 services shall promulgate rules and regulations necessary for the
27 distribution of such grants.

28 5. To the extent practicable, the director of veterans' services shall
29 ensure that all moneys received during a fiscal year are expended prior
30 to the end of that fiscal year.

31 6. On or before the first day of February each year, the comptroller
32 shall certify to the governor, temporary president of the senate, speak-
33 er of the assembly, chair of the senate finance committee and chair of
34 the assembly ways and means committee, the amount of money deposited in
35 the congressional chartered veterans service organizations fund during
36 the preceding calendar year as the result of revenue derived pursuant to
37 section six hundred thirty-k of the tax law and any income generated
38 from investments of the moneys in the fund in accordance with subdivi-
39 sion three of this section.

40 7. On or before the first day of February each year, the director of
41 the division of veterans' services shall provide a written report to
42 the temporary president of the senate, speaker of the assembly, chair of
43 the senate finance committee, chair of the assembly ways and means
44 committee, chair of the senate veterans, homeland security and military
45 affairs committee, chair of the assembly veterans' affairs committee,
46 and the public. Such report shall include how the monies of the fund
47 were utilized during the preceding calendar year and shall include:

48 (a) the amount of money disbursed from the fund;

49 (b) the 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 § 3. This act shall take effect immediately.