STATE OF NEW YORK

4625

2023-2024 Regular Sessions

IN ASSEMBLY

February 21, 2023

Introduced by M. of A. MCGOWAN -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the state finance law and the tax law, in relation to establishing the veterans' organization relief fund; and making an appropriation therefor

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

Section 1. The state finance law is amended by adding a new section 89-k to read as follows:

§ 89-k. Veterans' organization relief 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 "veterans' organization relief fund".

2. Such fund shall consist of all revenues received by the department of taxation and finance pursuant to the provisions of section two hundred nine-q and section six hundred thirty-l of the tax law and all other moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law. Nothing contained herein shall prevent the state from receiving grants, gifts, or bequests for the fund and depositing them into the fund according to law.

3. Monies of the fund shall be expended only for the aid and assistance of veterans' organizations. The New York state director of veterans' services shall establish criteria for determining which organizations are eligible to receive assistance pursuant to this fund.

4. Monies shall be payable from the fund on the audit and warrant of the comptroller on vouchers approved and certified by the commissioner of taxation and finance.

5. To the extent practicable, the New York state director of veterans' services shall ensure that all monies received are expended within one calendar year from the date on which they are received.

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

LBD06558-01-3

6. On or before the first day of February each year, the comptroller shall certify to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee and chair of the assembly ways and means committee, the amount of money deposited in the veterans' organization relief fund during the preceding calendar year as the result of revenue derived pursuant to sections two hundred nine-q and six hundred thirty-l of the tax law.

7. On or before the first day of February each year, the New York state director of veterans' services shall provide a written report to the temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate committee on veterans, homeland security and military affairs, chair of the assembly veterans affairs committee, 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 dispersed from the fund;

(ii) the recipients of awards from the fund;

(iii) the amount awarded to each recipient;

(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.

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

§ 209-q. Gift for the veterans' organizations relief fund. Effective for any tax year commencing on or after the effective date of this section, a taxpayer in any taxable year may elect to contribute to the support of the veterans' organization relief fund. Such contribution shall be in any whole dollar amount and shall not reduce the amount of the state tax owed by such taxpayer. The commissioner shall include space on the corporate 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 veterans' organization relief fund and shall be used only for those purposes enumerated in section eighty-nine-k of the state finance law.

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

§ 630-l. Gifts for veterans' organizations. Effective for any tax year commencing on or after the effective date of this section, a taxpayer in any taxable year may elect to contribute to the veterans' organization relief fund pursuant to section eighty-nine-k of the state finance law, for the purpose of funding the veterans' organizations. Any contributions made to such fund pursuant to this section shall be deposited into a dedicated account managed by the fund, which shall solely be used for funding veterans' organizations. Such contribution shall be in any whole dollar amount and shall not reduce the amount of the state tax owed by such taxpayer. 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 veterans' organizations relief fund.

§ 4. The sum of one hundred million dollars ($100,000,000), or so much thereof as may be necessary, is hereby appropriated to the division of veterans' services out of any moneys in the state treasury in the general fund to the credit of the general account, not otherwise appropri-

ated, and made immediately available, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the New York state director of veterans' services in the manner prescribed by law.

§ 5. This act shall take effect on the one hundred twentieth day after it shall have become a law. 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.