STATE OF NEW YORK

8574

IN ASSEMBLY

January 12, 2024

Introduced by M. of A. SIMON -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, the state finance law, and the public health law, in relation to issuing distinctive epilepsy awareness license plates and establishing an epilepsy awareness fund and an epilepsy research and education program

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-ff to read as follows:

§ 404-ff. Distinctive "epilepsy awareness" license plates. 1. Any person residing in this state shall upon request be issued a distinctive "epilepsy awareness" license plate of a design approved by the commissioner. Application for said license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe.

2. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon the payment of the regular registration fee prescribed by section four hundred one of this article provided, however, that an additional annual service charge of twenty-five dollars shall be charged for such plates. All monies received as the annual service charge under this section shall be deposited to the credit of the New York state "epilepsy awareness fund" established pursuant to section ninety-nine-rr of the state finance law and shall be used for research and education programs undertaken pursuant to article twenty-seven-CCCC of the public health law. Provided, however that one year after the effective date of this section funds in the amount of ten thousand dollars, or so much thereof as may be available, shall be allocated to the department to offset costs associated with the production of such license plates.

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

§ 99-rr. The New York state "epilepsy awareness fund". 1. There is hereby established in the joint custody of the commissioner of taxation

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

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and finance and the comptroller, a special fund to be known as the New York state "epilepsy awareness fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section four hundred four-ff of the vehicle and traffic 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 purposes of the fund as defined in this section and depositing them into the fund according to law.

3. Monies of the fund shall be expended only for epilepsy research and education programs. As used in this section, "epilepsy research and education programs" means scientific research or educational programs which, pursuant to article twenty-seven-CCCC of the public health law, are approved by the department of health.

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 health.

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

§ 3. The public health law is amended by adding a new article 27-CCCC to read as follows:

ARTICLE 27-CCCC

EPILEPSY RESEARCH AND EDUCATION PROGRAM

Section 2748. Special programs with respect to epilepsy.

§ 2748. Special programs with respect to epilepsy. The commissioner shall establish within the department a program to promote research and patient education regarding epilepsy. To carry out the purposes of this section, the commissioner shall:

1. promote scientific investigations with respect to the causes, prevention and treatment of epilepsy;

2. promote patient education programs designed to raise awareness of epilepsy and reduce or prevent the incidence and severity of seizures. Such patient education programs shall also include information on seizure recognition and first aid;

3. accept and expend any grants, awards or other funds or appropriations as may be available for these purposes subject to limitations as to the approval of expenditures and audit as prescribed for state funds by the state finance law; and

4. enter into contracts within the amounts available therefor as may be necessary to implement the provisions of this section.

§ 4. 1. A distinctive plate established pursuant to section 404-ff of the vehicle and traffic law shall only be designed, produced and issued upon the delivery to the department of motor vehicles of a surety bond in the amount of six thousand dollars, which shall be executed by a surety company authorized by the department of financial services to transact business in this state. Provided, however, that if the commissioner of motor vehicles shall have received prior to plate design, production and issuance at least two hundred orders for such distinctive plate together with the additional annual service charge applicable to each such order, which shall be non-refundable, no such surety bond shall be required. All service charges collected pursuant to this section shall be deposited pursuant to the provisions of section 404-oo of the vehicle and traffic law to the credit of the department of motor vehicles distinctive plate development fund established by section 95-g of the state finance law and shall be used for the design, production,

advertising and distribution of distinctive license plates in accordance with such section 95-g.

2. If, upon the expiration of two years following the date upon which distinctive plates in the series are first available for sale two hundred or more sets of such plates are sold, a bond delivered pursuant to this section shall be discontinued. If fewer than two hundred sets of such plates are sold by such time, the department of motor vehicles shall be entitled to recover against the bond in an amount proportionate to such shortfall.

§ 5. This act shall take effect immediately; provided, however, that sections one, two, and three of this act shall take effect on the nine-tieth 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.