

# STATE OF NEW YORK

7829

2023-2024 Regular Sessions

## IN SENATE

December 20, 2023

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

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:

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

3 § 404-ff. Distinctive "epilepsy awareness" license plates. 1. Any  
4 person residing in this state shall upon request be issued a distinctive  
5 "epilepsy awareness" license plate of a design approved by the commis-  
6 sioner. Application for said license plate shall be filed with the  
7 commissioner in such form and detail as the commissioner shall  
8 prescribe.

9 2. A distinctive plate issued pursuant to this section shall be issued  
10 in the same manner as other number plates upon the payment of the regu-  
11 lar registration fee prescribed by section four hundred one of this  
12 article provided, however, that an additional annual service charge of  
13 twenty-five dollars shall be charged for such plates. All monies  
14 received as the annual service charge under this section shall be depos-  
15 ited to the credit of the New York state "epilepsy awareness fund"  
16 established pursuant to section ninety-nine-rr of the state finance law  
17 and shall be used for research and education programs undertaken pursu-  
18 ant to article twenty-seven-CCCC of the public health law. Provided,  
19 however that one year after the effective date of this section funds in  
20 the amount of ten thousand dollars, or so much thereof as may be avail-  
21 able, shall be allocated to the department to offset costs associated  
22 with the production of such license plates.

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

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

3 § 99-rr. The New York state "epilepsy awareness fund". 1. There is  
4 hereby established in the joint custody of the commissioner of taxation  
5 and finance and the comptroller, a special fund to be known as the New  
6 York state "epilepsy awareness fund".

7 2. Such fund shall consist of all revenues received pursuant to the  
8 provisions of section four hundred four-ff of the vehicle and traffic  
9 law and all other moneys appropriated, credited, or transferred thereto  
10 from any other fund or source pursuant to law. Nothing contained herein  
11 shall prevent the state from receiving grants, gifts or bequests for the  
12 purposes of the fund as defined in this section and depositing them into  
13 the fund according to law.

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

19 4. Monies shall be payable from the fund on the audit and warrant of  
20 the comptroller on vouchers approved and certified by the commissioner  
21 of health.

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

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

27 ARTICLE 27-CCCC

28 EPILEPSY RESEARCH AND EDUCATION PROGRAM

29 Section 2748. Special programs with respect to epilepsy.

30 § 2748. Special programs with respect to epilepsy. The commissioner  
31 shall establish within the department a program to promote research and  
32 patient education regarding epilepsy. To carry out the purposes of this  
33 section, the commissioner shall:

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

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

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

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

46 § 4. 1. A distinctive plate established pursuant to section 404-ff of  
47 the vehicle and traffic law shall only be designed, produced and issued  
48 upon the delivery to the department of motor vehicles of a surety bond  
49 in the amount of six thousand dollars, which shall be executed by a  
50 surety company authorized by the department of financial services to  
51 transact business in this state. Provided, however, that if the commis-  
52 sioner of motor vehicles shall have received prior to plate design,  
53 production and issuance at least two hundred orders for such distinctive  
54 plate together with the additional annual service charge applicable to  
55 each such order, which shall be non-refundable, no such surety bond  
56 shall be required. All service charges collected pursuant to this

1 section shall be deposited pursuant to the provisions of section 404-oo  
2 of the vehicle and traffic law to the credit of the department of motor  
3 vehicles distinctive plate development fund established by section 95-g  
4 of the state finance law and shall be used for the design, production,  
5 advertising and distribution of distinctive license plates in accordance  
6 with such section 95-g.

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

14 § 5. This act shall take effect immediately; provided, however, that  
15 sections one, two, and three of this act shall take effect on the nine-  
16 tieth day after it shall have become a law. Effective immediately, the  
17 addition, amendment and/or repeal of any rule or regulation necessary  
18 for the implementation of this act on its effective date are authorized  
19 to be made and completed on or before such effective date.