

STATE OF NEW YORK

7787

2023-2024 Regular Sessions

IN SENATE

December 6, 2023

Introduced by Sen. WEBER -- 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, in relation to authorizing the creation of a "No Hate NY" license plate; and to amend the state finance law, in relation to creating the "No Hate NY fund"

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 "No Hate NY" license plates. 1. Any person
4 residing in this state shall, upon request, be issued a distinctive
5 license plate bearing the phrase "No Hate NY". The design of such
6 distinctive plate shall be developed by the commissioner in cooperation
7 with the commissioner of the state division of human rights. Applica-
8 tion for such license plate shall be filed with the commissioner in such
9 form and detail as the commissioner shall prescribe.

10 2. A distinctive plate issued pursuant to this section shall be issued
11 in the same manner as other number plates upon payment of the regular
12 registration fee prescribed by section four hundred one of this article;
13 provided, however, that an additional annual service charge of twenty-
14 five dollars shall be charged for such plates.

15 3. Twenty dollars of each twenty-five dollars received as the annual
16 service charge under this section shall be deposited to the credit of
17 the "No Hate NY fund" established pursuant to section ninety-nine-rr of
18 the state finance law and shall be used for hate crime awareness and
19 prevention programs.

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

22 § 99-rr. No Hate NY fund. 1. There is hereby established in the joint
23 custody of the commissioner of taxation and finance and the comptroller
24 a fund to be known as the "No Hate NY fund".

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

LBD10942-03-3

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

8 3. On or before the first day of February each year, the comptroller
9 shall certify to the governor, temporary president of the senate, speak-
10 er of the assembly, chair of the senate finance committee and chair of
11 the assembly ways and means committee, the amount of money deposited in
12 the No Hate NY fund during the preceding calendar year as the result of
13 revenue derived pursuant to section four hundred four-ff of the vehicle
14 and traffic law and from grants, gifts and bequests.

15 4. On or before the first day of February each year, the commissioner
16 of the state division of human rights shall provide a written report to
17 the temporary president of the senate, speaker of the assembly, chair of
18 the senate finance committee, chair of the assembly ways and means
19 committee, chair of the senate committee on health, chair of the assem-
20 bly health committee, the state comptroller and the public. Such report
21 shall include how the moneys of the fund were utilized during the
22 preceding calendar year.

23 5. Moneys of the fund shall be expended by any county within the state
24 only for hate crime awareness and prevention programs in such county. A
25 county may request funds and revenues deposited in the fund from license
26 plates issued in such county pursuant to section four hundred four-ff of
27 the vehicle and traffic law. Any such funds and revenues that are not
28 requested by or distributed to a county pursuant to this subdivision
29 within five years shall be distributed by the director of the office of
30 victim services, as established by section six hundred twenty-two of the
31 executive law, to be used as victim compensation benefits pursuant to
32 article twenty-two of the executive law, for victims of hate crimes, as
33 defined by section 485.05 of the penal law.

34 6. Moneys shall be payable from the fund on the audit and warrant of
35 the comptroller on vouchers approved and certified by the commissioner
36 of the state division of human rights.

37 7. To the extent practicable, the commissioner of the state division
38 of human rights shall ensure that all moneys received during a fiscal
39 year are expended prior to the end of that fiscal year.

40 § 3. 1. A distinctive plate established pursuant to section 404-ff of
41 the vehicle and traffic law shall only be designed, produced and issued
42 upon the delivery to the department of motor vehicles of a surety bond
43 in the amount of six thousand dollars, which shall be executed by a
44 surety company authorized by the department of financial services to
45 transact business in this state. Provided, however, that if the commis-
46 sioner of motor vehicles shall have received prior to plate design,
47 production and issuance at least two hundred orders for such distinctive
48 plate together with the additional annual service charge applicable to
49 each such order, which shall be non-refundable, no such surety bond
50 shall be required. All service charges collected pursuant to this
51 section shall be deposited pursuant to the provisions of section 404-oo
52 of the vehicle and traffic law to the credit of the department of motor
53 vehicles distinctive plate development fund established by section 95-g
54 of the state finance law and shall be used for the design, production,
55 advertising and distribution of distinctive license plates in accordance
56 with such section 95-g.

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

8 § 4. This act shall take effect on the one hundred eightieth day after
9 it shall have become a law; provided, however, that section three of
10 this act shall take effect immediately. Effective immediately, the addi-
11 tion, amendment and/or repeal of any rule or regulation necessary for
12 the implementation of this act on its effective date are authorized to
13 be made and completed on or before such effective date.