

STATE OF NEW YORK

10312

IN ASSEMBLY

April 22, 2020

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to eliminating rent for homeless shelters in cities with a population of one million or more; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Section 36-c of the social services law is REPEALED.

2 § 2. Section 131 of the social services law is amended by adding two
3 new subdivisions 21 and 22 to read as follows:

4 21. The office of temporary and disability assistance shall prohibit
5 any publicly funded provider of temporary housing assistance in a city
6 having a population of one million or more, including but not limited to
7 those defined in subdivision sixteen of section one hundred thirty-one-a
8 of this title from requiring recipients of such assistance to partic-
9 ipate in work activities, including but not limited to those defined in
10 section three hundred thirty-six of this chapter, as a condition to
11 receive temporary housing assistance from such provider.

12 22. a. Any temporary housing assistance provider, in a city having a
13 population of one million or more, found to be collecting income, room
14 and board or any other type of contribution in violation of subdivision
15 sixteen of section one hundred thirty-one-a of this title, shall, after
16 notice and an opportunity to be heard by the department, be required to
17 return any funds collected in violation of this section to such recipi-
18 ent and may be subject to a civil penalty not to exceed five hundred
19 dollars for each violation. The department shall adopt procedures in
20 accordance with the state administrative procedure act for assessment of
21 penalties pursuant to this section. Such procedure shall include the
22 opportunity for an administrative appeal. Any provider found to have
23 violated this section and who is subsequently found to have violated
24 this section five or more times within one year of the initial finding
25 may be determined, at the discretion of the department and taking into
26 consideration the geographic availability of similar services, to be

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

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1 ineligible to receive public funding for a period not to exceed five
2 years.

3 b. Any provider which has been deemed ineligible to receive public
4 funding pursuant to this section may apply to the department for an
5 order discontinuing such disqualification. The application shall set
6 forth the grounds, including that the provider has taken sufficient
7 actions to remove from responsibility officers and employees who engaged
8 in the actions that formed the basis of the violation, that the provider
9 has taken appropriate and sufficient actions to ensure that the actions
10 that formed the basis of the violation are unlikely to recur, and that
11 it will not be in the public interest to continue the disqualification.

12 § 3. Section 131-a of the social services law is amended by adding a
13 new subdivision 16 to read as follows:

14 16. Notwithstanding any other provision of law, rule or regulation to
15 the contrary, a homeless individual or family applying for or receiving
16 temporary housing assistance, in a city having a population of one
17 million or more, shall not be required to pay room and board or contrib-
18 ute any earned or unearned income, available benefits or resources to
19 eliminate their need for temporary housing assistance or as a condition
20 to receive temporary housing assistance from such provider. For the
21 purposes of this subdivision, any provider of temporary housing assist-
22 ance or short-term housing shall include, but not be limited to, a fami-
23 ly shelter, a cluster site apartment, a shelter for adults, a United
24 States Department of Housing and Urban Development assisted transitional
25 housing shelter, a public home, a hotel, an emergency apartment, a
26 domestic violence shelter, a runaway and homeless youth shelter, a room
27 and board shelter, a safe haven shelter, a veterans short-term housing
28 shelter, a criminal justice short-term housing shelter, or a safe house
29 for refugees, asylees, or trafficking victims operating in New York
30 state.

31 § 4. This act shall take effect on the thirtieth day after it shall
32 have become a law.