

STATE OF NEW YORK

10322

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 having a population of less than one million, towns and villages; 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 Section 36-c of the social services law is REPEALED.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 cities
6 having a population less than one million, towns and villages, including
7 but not limited to those defined in subdivision sixteen of section one
8 hundred thirty-one-a of this title from requiring recipients of such
9 assistance to participate in work activities, including but not limited
10 to those defined in section three hundred thirty-six of this chapter, as
11 a condition to receive temporary housing assistance from such provider.

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

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

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1 services, to be ineligible to receive public funding for a period not to
2 exceed five 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 cities having a population less than
17 one million, towns and villages, shall not be required to pay room and
18 board or contribute any earned or unearned income, available benefits or
19 resources to eliminate their need for temporary housing assistance or as
20 a condition to receive temporary housing assistance from such provider.
21 For the purposes of this subdivision, any provider of temporary housing
22 assistance or short-term housing shall include, but not be limited to, a
23 family 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.