

# STATE OF NEW YORK

8816

## IN ASSEMBLY

January 12, 2022

Introduced by M. of A. EPSTEIN, ABINANTI, BURDICK -- read once and referred to the Committee on People with Disabilities

AN ACT to establish the people with disabilities access to programs commission

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

1 Section 1. 1. (a) There is hereby established a people with disabili-  
2 ties access to programs commission to examine, evaluate and make recom-  
3 mendations for new laws with respect to how the state should streamline  
4 eligibility requirements for its programs to assist people with disabili-  
5 ties including but not limited to programs overseen by the office for  
6 people with developmental disabilities, office of mental health, ACCES-  
7 VR, office of children and family services, and the education depart-  
8 ment. The commission's report shall be due by December 1, 2023.

9 (b) The commission shall be comprised of eleven members, five of which  
10 shall be appointed by the governor, two of which shall be appointed by  
11 the temporary president of the senate, two of which shall be appointed  
12 by the speaker of the assembly, one of which shall be appointed by the  
13 minority leader of the senate, and one of which shall be appointed by  
14 the minority leader of the assembly. The commission shall not be fully  
15 constituted without the appointment of the eleventh member. There shall  
16 be no chairperson appointed, and the commission shall be governed by a  
17 majority vote, and at all times, the commission shall act with a quorum.

18 2. (a) The commission shall only meet within the state and shall hold  
19 at least one hearing at which the public will be afforded an opportunity  
20 to provide comments. The commission may hold additional public hearings  
21 as it deems necessary. Such additional hearings, if any, may allow for  
22 an opportunity to provide public comments.

23 (b) The members of the commission shall receive no compensation for  
24 their services but shall be allowed their actual and necessary expenses  
25 incurred in the performance of their duties hereunder. Nothing contained  
26 herein shall prohibit a member of the commission from receiving his or  
27 her salary earned by reason of their state employee position.

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

LBD14087-01-1

1 (c) No member of the commission shall be disqualified from holding any  
2 other public office or public employment, nor shall he or she forfeit  
3 any such public office or public employment by reason of his or her  
4 appointment pursuant to this section, notwithstanding the provisions of  
5 any general, special or local law, regulation, ordinance or city char-  
6 ter.

7 (d) To the maximum extent feasible, the commission shall be entitled  
8 to request and receive and shall utilize and be provided with such  
9 facilities, resources and data of any court, department, division,  
10 board, bureau, commission, agency or public authority of the state or  
11 any political subdivision thereof as it may reasonably request to prop-  
12 erly carry out its powers and duties pursuant to this act.

13 (e) The commission may request, and shall receive, reasonable assist-  
14 ance from state agency personnel as is necessary for the performance of  
15 its function, including legal guidance as is necessary from legislative  
16 and executive counsel.

17 3. The commission shall make a report to the governor and the legisla-  
18 ture of its findings, conclusions, determinations and recommendations  
19 and shall submit such report by December 1, 2023.

20 § 2. This act shall take effect immediately. The commission itself, as  
21 created by section one of this act, shall dissolve on December 2, 2023.