

STATE OF NEW YORK

8034

2023-2024 Regular Sessions

IN ASSEMBLY

September 13, 2023

Introduced by M. of A. BARCLAY, REILLY, BRABENEC, MORINELLO, WALSH, PALMESANO, PIROZZOLO, HAWLEY, MCGOWAN, JENSEN, McDONOUGH, FRIEND, E. BROWN, SMITH, J. M. GIGLIO, GANDOLFO, K. BROWN, ANGELINO, SLATER, MIKULIN, SIMPSON, TAGUE, GOODELL, GRAY, GALLAHAN, NORRIS, DeSTEFANO, DURSO, FLOOD, BEEPHAN, BENDETT, MILLER, MANKTELOW -- read once and referred to the Committee on Local Governments

AN ACT to amend the executive law, in relation to local opt-in of migrant housing

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

1 Section 1. The executive law is amended by adding a new section 29-1
2 to read as follows:

3 § 29-1. Local opt-in of migrant housing; municipal control and
4 preemption. 1. Notwithstanding any contrary provision of law, rule,
5 regulation or executive order, any requirement that undocumented immi-
6 grants who are seeking asylum in the United States be sheltered in a
7 certain locality or localities shall only apply to those towns, cities,
8 and counties that opt-in to such requirement through the adoption of a
9 local law or ordinance. Moreover, no locality shall seek or attempt to
10 shelter undocumented immigrants who are seeking asylum in the United
11 States in a town, city, or county that has not expressly agreed to do so
12 through the adoption of local law or ordinance.

13 2. For the purpose of this section, the term "sheltered" shall
14 include, but not be limited to, being temporarily or permanently placed
15 into housing, dwelling, or living quarters by a state or local govern-
16 mental entity.

17 § 2. This act shall take effect immediately.

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

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