

1280

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the social services law, in relation to the determination of eligibility for the family health plus program for self-employed individuals

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (d) of subdivision 2 of section 369-ee of the
2 social services law, as added by chapter 101 of the laws of 2007, is
3 amended to read as follows:
4 [(d)] (E) For purposes of determining income eligibility pursuant to
5 this subdivision, depreciation of assets owned by [a] self-employed
6 [individual operating a farm operation as defined in section three
7 hundred one of the agriculture and markets law] INDIVIDUALS, as included
8 on the Internal Revenue Service Form 1040 of the applicable year, shall
9 not be included as part of the gross family income. If all necessary
10 approvals relating to this paragraph under federal law and regulation
11 have not been obtained to receive federal financial participation, then
12 this paragraph shall not apply; however, that shall not affect the
13 status of any other provision of this title.
14 S 2. This act shall take effect immediately and shall apply to all
15 determinations made on or after such effective date.

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

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