

1288

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT, CLARK, V. LOPEZ, KELLNER, BOYLAND, MILL-
MAN, EDDINGTON, AUBRY, GREENE -- Multi-Sponsored by -- M. of A.
ESPAILLAT, GOTTFRIED, REILLY, TOWNS -- read once and referred to the
Committee on Social Services

AN ACT to amend the social services law, in relation to applications for
public assistance and to repeal certain provisions of such law relat-
ing thereto

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

1 Section 1. Subdivision 8 of section 153 of the social services law is
2 REPEALED.

3 S 2. Section 131 of the social services law is amended by adding a new
4 subdivision 20 to read as follows:

5 20. THE DECISION OF THE LOCAL SOCIAL SERVICES DISTRICT TO ACCEPT OR
6 DENY AN APPLICATION FOR PUBLIC ASSISTANCE SHALL BE MADE AS SOON AS
7 POSSIBLE, BUT NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE APPLICA-
8 TION, EXCEPT WHERE THE APPLICANT REQUESTS ADDITIONAL TIME OR WHERE
9 DIFFICULTIES IN VERIFICATION LEAD TO UNUSUAL DELAY OR OTHER REASONS
10 BEYOND THE CONTROL OF THE LOCAL SOCIAL SERVICES OFFICIAL.

11 S 3. Paragraph (b) of subdivision 5 of section 22 of the social
12 services law, as amended by chapter 41 of the laws of 1992, is amended
13 to read as follows:

14 (b) Failure to act upon any application [within] AS SOON AS POSSIBLE
15 BUT NO LATER THAN thirty days after filing[, except applications for
16 home relief], or failure to comply with laws and regulations requiring
17 that priority be given to certain applications for assistance[, or fail-
18 ure to act on any application for home relief within forty-five days
19 after filing].

20 S 4. Subdivision 13 of section 131-a of the social services law, as
21 added by chapter 477 of the laws of 2000, is amended to read as follows:

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

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1 13. Pursuant to regulations of the office of temporary and disability
2 assistance, public assistance eligibility shall, to the extent permitted
3 by federal law, not lapse solely by reason of the death of the adult
4 relative caretaker of a minor child, until arrangements are completed
5 for the addition of the child to another public assistance household,
6 reclassification of the case, foster care or other appropriate financial
7 support. [For purposes of subdivision eight of section one hundred
8 fifty-three of this article, safety net assistance given to such a child
9 during the first forty-five days after application therefor shall be
10 regarded as being given to meet emergency circumstances.]

11 S 5. Subdivision 4 of section 158 of the social services law, as
12 amended by section 44 of part B of chapter 436 of the laws of 1997, is
13 amended to read as follows:

14 4. Social services officials shall determine eligibility for safety
15 net assistance [within forty-five] AS SOON AS POSSIBLE, BUT NO LATER
16 THAN THIRTY days AFTER THE DATE of receiving an application for safety
17 net assistance. Such officials shall notify applicants of safety net
18 assistance about the availability of assistance to meet emergency
19 circumstances or to prevent eviction.

20 S 6. This act shall take effect immediately.