

1374

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the social services law, in relation to eligibility for
persons with acquired immunodeficiency syndrome or HIV-related
illnesses; and providing for the repeal of such provisions upon the
expiration thereof

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

1 Section 1. Subdivision 2 of section 131-a of the social services law
2 is amended by adding a new paragraph (f) to read as follows:
3 (F) IN DETERMINING THE ELIGIBILITY FOR AND AMOUNT OF PUBLIC ASSISTANCE
4 BENEFITS FOR A PERSON OR HOUSEHOLD WHERE ONE OR MORE PERSONS HAS BEEN
5 MEDICALLY DIAGNOSED AS HAVING ACQUIRED IMMUNODEFICIENCY SYNDROME OR
6 HIV-RELATED ILLNESSES, A SOCIAL SERVICES DISTRICT SHALL USE THE SPECIAL
7 SHELTER ALLOWANCE AMOUNTS ESTABLISHED BY THE OFFICE OF TEMPORARY AND
8 DISABILITY ASSISTANCE IN REGULATION FOR THAT PURPOSE RATHER THAN THE
9 SHELTER ALLOWANCE ESTABLISHED IN PARAGRAPH (B) OF THIS SUBDIVISION. A
10 SOCIAL SERVICES DISTRICT SHALL ONLY USE THIS SPECIAL SHELTER ALLOWANCE
11 WHEN IT DETERMINES THAT THE PERSON OR FAMILY IS HOMELESS OR FACED WITH
12 HOMELESSNESS AND FOR WHOM NO VIABLE AND LESS COSTLY ALTERNATIVE HOUSING
13 IS AVAILABLE AND SUCH ALLOWANCE IS NECESSARY TO SECURE HOUSING OR TO
14 MAINTAIN THE FAMILY IN THEIR OWN HOME. IN CALCULATING ELIGIBILITY AND
15 THE AMOUNT OF BENEFITS, THE SOCIAL SERVICES DISTRICT SHALL CONSIDER ONLY
16 THE PERSONS WITH ACQUIRED IMMUNODEFICIENCY SYNDROME OR HIV-RELATED
17 ILLNESS AND THE MEMBERS OF THE PUBLIC ASSISTANCE HOUSEHOLD IN ACCORDANCE
18 WITH SECTION ONE HUNDRED THIRTY-ONE-C OF THIS TITLE AND THEIR AVAILABLE
19 INCOME.
20 S 2. This act shall take effect on the first of November next succeed-
21 ing the date on which it shall have become a law and shall expire Novem-
22 ber 1, 2010 when upon such date the provisions of this act shall be
23 deemed repealed.

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

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