S T A T E O F N E W Y O R K

1551

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT, GLICK, J. RIVERA, O'DONNELL, GREENE, CARROZZA, FIELDS, JACOBS, ESPAILLAT, KELLNER, JEFFRIES, JAFFEE, KAVANAGH -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, BRODSKY, CAHILL, CLARK, COLTON, HOOPER, LAVINE, V. LOPEZ, McENENY, MILLMAN, PERRY, PHEFFER, ROBINSON, ROSENTHAL, SCARBOROUGH, WEISENBERG -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing rental vouchers for working families

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

Section 1. Article 5 of the social services law is amended by adding a new title 8-A to read as follows:

TITLE 8-A

RENTAL VOUCHERS FOR WORKING FAMILIES

SECTION 310. DEFINITIONS.
311. APPLICATION.
312. ELIGIBILITY.
313. RENTAL PAYMENTS.
314. MAINTENANCE OF EFFORT.

S 310. DEFINITIONS. FOR THE PURPOSES OF THIS TITLE:

1. THE TERM "FAMILY" SHALL MEAN A FAMILY THAT INCLUDES AN INDIVIDUAL WHO HAS NOT ATTAINED EIGHTEEN YEARS OF AGE, OR HAS NOT ATTAINED NINETEEN YEARS OF AGE AND IS A FULL-TIME STUDENT IN A SECONDARY SCHOOL OR IN THE EQUIVALENT LEVEL OF VOCATIONAL OR TECHNICAL TRAINING.

2. THE TERM "INCOME" SHALL MEAN INCOME FROM ALL SOURCES OF EACH MEMBER OF THE HOUSEHOLD.

3. THE TERM "ADJUSTED INCOME" SHALL MEAN THE AMOUNT OF INCOME OF THE MEMBERS OF THE FAMILY RESIDING IN A DWELLING UNIT, AFTER ANY OF THE FOLLOWING REQUIRED INCOME EXCLUSIONS FROM ANNUAL INCOME:

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

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(A) FOUR HUNDRED DOLLARS FOR ANY FAMILY CONTAINING AN ELDERLY OR DISABLED FAMILY MEMBER;

(B) THE AMOUNT BY WHICH THREE PERCENT OF THE ANNUAL FAMILY INCOME IS EXCEEDED BY THE SUM OF UNREIMBURSED MEDICAL EXPENSES FOR ANY ELDERLY OR DISABLED FAMILY MEMBER OR THE AMOUNT BY WHICH THREE PERCENT OF THE ANNUAL FAMILY INCOME IS EXCEEDED BY THE SUM OF UNREIMBURSED REASONABLE ATTENDANT CARE AND AUXILIARY APPARATUS EXPENSES FOR EACH DISABLED MEMBER OF THE FAMILY TO THE EXTENT NECESSARY TO ENABLE ANY MEMBER OF SUCH FAMILY (INCLUDING SUCH DISABLED FAMILY MEMBER) TO BE EMPLOYED;

(C) ANY REASONABLE CHILD CARE EXPENSE INCURRED NECESSARY TO ENABLE A FAMILY MEMBER TO BE EMPLOYED OR TO FURTHER HIS OR HER EDUCATION;

(D) FOUR HUNDRED EIGHTY DOLLARS FOR EACH MEMBER OF THE FAMILY RESIDING IN THE HOUSEHOLD WHO IS LESS THAN EIGHTEEN YEARS OF AGE OR IS ATTENDING HIGH SCHOOL OR VOCATIONAL TRAINING ON A FULL-TIME BASIS, OR WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND IS A PERSON WITH A DISABILITY;

(E) ANY PAYMENT MADE BY A MEMBER OF THE FAMILY FOR THE SUPPORT AND MAINTENANCE OF ANY CHILD WHO DOES NOT RESIDE IN THE HOUSEHOLD, EXCEPT THAT THE AMOUNT EXCLUDED UNDER THIS PARAGRAPH MAY NOT EXCEED FOUR HUNDRED EIGHTY DOLLARS FOR EACH CHILD FOR WHOM SUCH PAYMENT IS MADE;

(F) ANY PAYMENTS MADE BY A MEMBER OF THE FAMILY FOR THE SUPPORT AND MAINTENANCE OF ANY SPOUSE OR FORMER SPOUSE WHO DOES NOT RESIDE IN THE HOUSEHOLD, EXCEPT THAT THE AMOUNT EXCLUDED UNDER THIS PARAGRAPH SHALL NOT EXCEED THE LESSER OF EITHER THE AMOUNT THAT SUCH FAMILY MEMBER HAS A LEGAL OBLIGATION TO PAY OR FIVE HUNDRED FIFTY DOLLARS FOR EACH INDIVIDUAL FOR WHOM SUCH PAYMENT IS MADE; AND

(G) THE AMOUNT OF ANY EARNED INCOME OF A MEMBER OF THE FAMILY RESIDING IN THE HOUSEHOLD WHO IS NOT EIGHTEEN YEARS OF AGE OR OLDER AND WHO IS NOT THE HEAD OF THE HOUSEHOLD OR THE SPOUSE OF THE HEAD OF THE HOUSEHOLD.

S 311. APPLICATION. APPLICATION FOR RENTAL VOUCHERS FOR WORKING FAMILIES MAY BE MADE AT THE APPROPRIATE SOCIAL SERVICES DISTRICT OR ANY FACILITATED ENROLLMENT SITE AUTHORIZED BY THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO TAKE SUCH APPLICATIONS.

S 312. ELIGIBILITY. 1. TO THE EXTENT THAT FUNDS ARE AVAILABLE, FAMILIES SHALL BE ELIGIBLE FOR RENTAL VOUCHERS FOR WORKING FAMILIES IF:

(A) THE FAMILY INCOME DOES NOT EXCEED TWO HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL;

(B) THE FAMILY WOULD MEET THE MANDATORY WORK REQUIREMENTS ESTABLISHED IN SECTION THREE HUNDRED THIRTY-FIVE-B OF THIS ARTICLE;

(C) THE FAMILY IS NOT IN RECEIPT OF TEMPORARY ASSISTANCE;

(D) THE RENTAL OBLIGATION FOR THE FAMILY IS NOT MORE THAN NINETY PERCENT OF THE FAIR MARKET RENT FOR THE LOCAL SOCIAL SERVICES DISTRICT AS ESTABLISHED BY THE UNITED STATES OFFICE OF HOUSING AND URBAN DEVELOPMENT; AND

(E) THE RENTAL UNIT FOR THE FAMILY IS HABITABLE, SAFE AND DOES NOT HAVE A RECORD OF HAZARDOUS CONDITIONS.

2. SHOULD THE EMPLOYMENT STATUS OF A HOUSEHOLD MEMBER CHANGE SUCH THAT THE FAMILY NO LONGER MEETS THE MANDATORY WORK REQUIREMENTS ESTABLISHED IN SECTION THREE HUNDRED THIRTY-FIVE-B OF THIS ARTICLE, THE HOUSEHOLD SHALL BE ALLOWED TO CONTINUE TO RECEIVE A RENTAL VOUCHER FOR UP TO THREE MONTHS WHILE THE FAMILY ATTEMPTS TO COME INTO COMPLIANCE WITH SUCH MANDATORY WORK REQUIREMENTS. IF, AFTER THREE MONTHS, THE FAMILY REMAINS OUT OF COMPLIANCE WITH SUCH MANDATORY WORK REQUIREMENTS, THE RENTAL VOUCHER SHALL NO LONGER BE PROVIDED TO SUCH FAMILY AND THE FAMILY SHALL BE REFERRED TO ALTERNATIVE ASSISTANCE PROGRAMS TO MEET THEIR BASIC NEEDS. PROVIDED, HOWEVER, THAT THE LOSS OF A RENTAL VOUCHER FOR FAILURE

TO COMPLY WITH SUCH MANDATORY WORK REQUIREMENTS SHALL NOT PRECLUDE THE FAMILY'S ELIGIBILITY FOR A RENTAL VOUCHER SHOULD THEY MEET THE MANDATORY WORK REQUIREMENTS IN THE FUTURE.

3. FAMILIES IN RECEIPT OF A RENTAL VOUCHER SHALL BE REQUIRED TO PROVIDE THE LOCAL SOCIAL SERVICES DISTRICT WITH NOTICE OF CHANGES IN INCOME OR EMPLOYMENT STATUS WITHIN ONE MONTH OF SUCH CHANGE. FAMILIES SHALL BE RECERTIFIED FOR THE RENTAL VOUCHER PROGRAM AT LEAST EVERY SIX MONTHS. SUCH RECERTIFICATION SHALL NOT REQUIRE A FACE-TO-FACE INTERVIEW.

S 313. RENTAL PAYMENTS. FAMILIES SHALL PAY AS RENT FOR A DWELLING UNIT ASSISTED WITH A RENTAL VOUCHER THE HIGHEST OF THE FOLLOWING AMOUNTS:

1. THIRTY PERCENT OF THE FAMILY'S MONTHLY ADJUSTED INCOME; OR

2. TEN PERCENT OF THE FAMILY'S MONTHLY INCOME.

S 314. MAINTENANCE OF EFFORT. TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW, STATE FUNDING FOR RENTAL VOUCHERS FOR WORKING FAMILIES SHALL BE UTILIZED TO MEET THE FEDERALLY MANDATED MAINTENANCE OF EFFORT FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT.

S 2. This act shall take effect April 1, 2010.