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

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, MILLMAN, 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 relating thereto

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

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 Subdivision 8 of section 153 of the social services law is REPEALED.

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

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

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

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

S 4. Subdivision 13 of section 131-a of the social services law, as 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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13. Pursuant to regulations of the office of temporary and disability assistance, public assistance eligibility shall, to the extent permitted by federal law, not lapse solely by reason of the death of the adult relative caretaker of a minor child, until arrangements are completed for the addition of the child to another public assistance household, reclassification of the case, foster care or other appropriate financial support. [For purposes of subdivision eight of section one hundred fifty-three of this article, safety net assistance given to such a child during the first forty-five days after application therefor shall be regarded as being given to meet emergency circumstances.]

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

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

S 6. This act shall take effect immediately.