

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.

LBD00414-01-9

1 (A) FOUR HUNDRED DOLLARS FOR ANY FAMILY CONTAINING AN ELDERLY OR DISA-  
2 BLED FAMILY MEMBER;

3 (B) THE AMOUNT BY WHICH THREE PERCENT OF THE ANNUAL FAMILY INCOME IS  
4 EXCEEDED BY THE SUM OF UNREIMBURSED MEDICAL EXPENSES FOR ANY ELDERLY OR  
5 DISABLED FAMILY MEMBER OR THE AMOUNT BY WHICH THREE PERCENT OF THE ANNU-  
6 AL FAMILY INCOME IS EXCEEDED BY THE SUM OF UNREIMBURSED REASONABLE  
7 ATTENDANT CARE AND AUXILIARY APPARATUS EXPENSES FOR EACH DISABLED MEMBER  
8 OF THE FAMILY TO THE EXTENT NECESSARY TO ENABLE ANY MEMBER OF SUCH FAMI-  
9 LY (INCLUDING SUCH DISABLED FAMILY MEMBER) TO BE EMPLOYED;

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

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

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

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

26 (G) THE AMOUNT OF ANY EARNED INCOME OF A MEMBER OF THE FAMILY RESIDING  
27 IN THE HOUSEHOLD WHO IS NOT EIGHTEEN YEARS OF AGE OR OLDER AND WHO IS  
28 NOT THE HEAD OF THE HOUSEHOLD OR THE SPOUSE OF THE HEAD OF THE HOUSE-  
29 HOLD.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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