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

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I N A S S E M B L Y

February 3, 2010

Introduced by M. of A. DINOWITZ, JAFFEE, MILLMAN, HYER-SPENCER, BENEDETTO, BOYLAND, GUNTHER, LUPARDO, COOK, MARKEY, N. RIVERA, GOTTFRIED -- Multi-Sponsored by -- M. of A. ALFANO, CRESPO, DESTITO, GLICK, MAGEE, McENENY, McKEVITT, PHEFFER, ROBINSON -- read once and referred to the Committee on Aging -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the elder law, in relation to considering in-kind support in determining grantees of the naturally occurring retirement community supportive service program

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

Section 1. Paragraphs (d) and (k) of subdivision 4 of section 209 of the elder law are amended to read as follows:

(d) the financial OR IN-KIND support required to be provided to the project by the owners, managers and residents of the housing development; provided, however, that such criteria need not address whether the funding is public or private, or the source of such support;

(k) a requirement that any aid provided pursuant to this section be matched by an equal amount, IN-KIND SUPPORT OF EQUAL VALUE, OR SOME COMBINATION THEREOF from other sources, PROVIDED THAT SUCH IN-KIND SUPPORT TO BE UTILIZED ONLY UPON APPROVAL FROM THE DIRECTOR AND ONLY TO THE EXTENT MATCHING FUNDS ARE NOT AVAILABLE, and that at least twenty-five percent of such amount be contributed by the housing development governing body or other owners or managers and residents of the apartment buildings and housing complexes in which the project is proposed; and

S 2. Subparagraph 6 of paragraph (c) of subdivision 5-a of section 209 of the elder law, as added by section 2 of part E of chapter 58 of the laws of 2005, is amended to read as follows:

(6) a requirement that the applicant commit to raising matching funds, IN-KIND SUPPORT, OR SOME COMBINATION THEREOF from non-state sources [of], PROVIDED THAT SUCH IN-KIND SUPPORT BE UTILIZED ONLY UPON APPROVAL FROM THE DIRECTOR AND ONLY TO THE EXTENT MATCHING FUNDS ARE NOT AVAILABLE, EQUAL TO fifteen percent of the state grant in the second year

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

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after the program is approved, twenty-five percent in the third year, forty percent in the fourth year, and fifty percent in the fifth year, and further commit that in each year, twenty-five percent of such required matching funds, IN-KIND SUPPORT, OR COMBINATION THEREOF be raised within the community served. Such local community matching funds, IN-KIND SUPPORT, OR COMBINATION THEREOF shall include but not be limited to: dues, fees for service, individual and community contributions, and such other funds as the advisory committee and the director shall deem appropriate;

S 3. This act shall take effect immediately.