

2009-2010 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2009

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Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services, Children and Families

AN ACT to amend the social services law, in relation to the determination of eligibility for the family health plus program for self-employed individuals

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

1     Section 1. Paragraph (d) of subdivision 2 of section 369-ee of the  
2     social services law, as added by chapter 101 of the laws of 2007, is  
3     amended to read as follows:  
4     [(d)] (E) For purposes of determining income eligibility pursuant to  
5     this subdivision, depreciation of assets owned by [a] self-employed  
6     [individual operating a farm operation as defined in section three  
7     hundred one of the agriculture and markets law] INDIVIDUALS, as included  
8     on the Internal Revenue Service Form 1040 of the applicable year, shall  
9     not be included as part of the gross family income. If all necessary  
10    approvals relating to this paragraph under federal law and regulation  
11    have not been obtained to receive federal financial participation, then  
12    this paragraph shall not apply; however, that shall not affect the  
13    status of any other provision of this title.  
14    S 2. This act shall take effect immediately and shall apply to all  
15    determinations made on or after such effective date.

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

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