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

8434

I N S E N A T E

July 9, 2010

Introduced by Sen. DUANE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT in relation to the validity of birth certificates legally issued by the Commonwealth of Puerto Rico prior to July 1, 2010

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

Section 1. 1. Any birth certificate legally issued by the Commonwealth of Puerto Rico prior to July 1, 2010 and rendered invalid by the Commonwealth on and after September 30, 2010 pursuant to Puerto Rico Act No. 191 of December 22, 2009, as amended, known as the "Act to Prohibit the Retention, Keeping on Record, and Keeping under Custody of Certified Copies of Birth Certificates by Public and Private Entities"; shall be deemed to be valid for the purpose of: (a) proof of citizenship for eligibility for programs pursuant to the public health law, the social services law, or the elder law; or (b) proof of age for enrollment in school pursuant to section 3218 of the education law. Validity under this section shall last until September 30, 2011.

2. If the commissioner of health, the commissioner of the office of temporary and disability assistance, or any other relevant state commissioner or superintendent, determines that federal funds will not be available if a birth certificate legally issued by the Commonwealth of Puerto Rico prior to July 1, 2010 and rendered invalid by the Commonwealth on and after September 30, 2010 pursuant to Puerto Rico Act No. 191 of December 22, 2009, as amended, is honored, the birth certificate shall not be valid. In order to make a determination under this subdivision, the commissioner of health or the commissioner of the office of temporary disability assistance, or any other relevant state commissioner or superintendent, shall obtain written documentation from the applicable federal agency that federal funds will be lost if this section is enforced.

3. Nothing in this section shall prevent any state agency from taking other actions to help ensure individuals with birth certificates legally issued by the Commonwealth of Puerto Rico prior to July 1, 2010 and rendered invalid by the Commonwealth on and after September 30, 2010

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

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pursuant to Puerto Rico Act No. 191 of December 22, 2009, as amended, receive all benefits and services that are offered by the state which require the production of a valid birth certificate and for which they are otherwise eligible.

S 2. This act shall take effect October 1, 2010; provided, however, if this act shall become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after October 1, 2010.