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

2648

2011-2012 Regular Sessions

I N A S S E M B L Y

January 19, 2011

Introduced by M. of A. JEFFRIES, J. RIVERA, ORTIZ, CLARK, GLICK, BRENNAN, ROBINSON -- Multi-Sponsored by -- M. of A. JACOBS, PHEFFER -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to providing that certain aid to families shall include an allowance for shelter

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

Section 1. Paragraph (a) of subdivision 1 of section 350 of the social services law, as separately amended by chapters 909 and 1080 of the laws of 1974, is amended to read as follows:

(a) Allowances shall be adequate to enable the father, mother or other relative to bring up the child properly, having regard for the physical, mental and moral well-being of such child, in accordance with the provisions of section one hundred thirty-one-a of this chapter and other applicable provisions of law. NOTWITHSTANDING THE PROVISION OF SECTION ONE HUNDRED THIRTY-ONE-A OF THIS CHAPTER OR OF ANY OTHER PROVISION OF LAW, THE TERM "ADEQUATE", AS USED IN THIS PARAGRAPH, SHALL INCLUDE AN ALLOWANCE FOR SHELTER THAT SHALL BE CALCULATED TO EQUAL THE LESSER AMOUNT OF: (I) EIGHTY PERCENT OF FAIR MARKET RENT AS DEFINED PURSUANT TO SECTION 888.113 OF THE CODE OF FEDERAL REGULATIONS; OR (II) ONE HUNDRED PERCENT OF THE ACTUAL RENT PAID BY THE INDIVIDUAL RECEIVING THE ALLOWANCE. Allowances shall provide for the support, maintenance and needs of one or both parents if in need, and in the home and for the support, maintenance and needs of the other relative if he or she is without sufficient means of support, provided such parent, parents and relative are not receiving federal supplemental security income payments and/or additional state payments for which they are eligible. The social services official may, in his OR HER discretion, make the incapacitated parent the grantee of the allowance and when allowances are granted for the aid of a child or children due to the unemployment of a parent, such official may make the unemployed parent the grantee of the allowance.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

LBD04673-01-1