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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GANTT -- read once and referred to the Committee
on Social Services

AN ACT to amend the social services law, in relation to eligibility for
public assistance

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

1 Section 1. Paragraph (a) of subdivision 14 of section 131 of the
2 social services law, as added by section 11 of part B of chapter 436 of
3 the laws of 1997, is amended to read as follows:

4 (a) Notwithstanding any provision of this chapter or other law to the
5 contrary, no public assistance shall be given to any individual who is
6 (i) fleeing to avoid prosecution or custody or conviction under the laws
7 of the place from which the individual flees for a crime, or an attempt
8 to commit a crime, [which is a felony] under the laws of the place from
9 which the individual flees [or which, in the case of the state of New
10 Jersey, is a high misdemeanor under the laws of such state] or (ii)
11 violating a condition of probation or parole imposed under federal or
12 state law.

13 S 2. Subdivision 5 of section 136 of the social services law, as added
14 by section 25 of part B of chapter 436 of the laws of 1997, is amended
15 to read as follows:

16 5. A social services official shall disclose to a federal, state or
17 local law enforcement officer, upon request of the officer, the current
18 address OR ANY OTHER INFORMATION NECESSARY FOR THE APPREHENSION of any
19 APPLICANT OR recipient of family assistance, or safety net assistance if
20 the duties of the officer include the location or apprehension of the
21 APPLICANT OR recipient and the officer furnishes the social services
22 official with the name of the APPLICANT OR recipient and notifies the
23 agency that such APPLICANT OR recipient is fleeing to avoid prosecution,
24 custody or confinement after conviction, under the laws of the place

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

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1 from which the APPLICANT OR recipient is fleeing, for a crime or an
2 attempt to commit a crime which is a felony OR MISDEMEANOR under the
3 laws of the place from which the APPLICANT OR recipient is fleeing, [or
4 which, in the case of the state of New Jersey, is a high misdemeanor
5 under the laws of that state,] or is violating a condition of probation
6 or parole imposed under a federal or state law or has information that
7 is necessary for the officer to conduct his or her official duties. In
8 a request for disclosure pursuant to this subdivision, such law enforce-
9 ment officer shall endeavor to include identifying information to help
10 ensure that the social services official discloses only the address of
11 the person sought and not the address of a person with the same or simi-
12 lar name.

13 S 3. This act shall take effect immediately.