

331--A

Cal. No. 7

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. DIAZ, KRUEGER, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the elder law, in relation to matching funds for grants under 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:

1 Section 1. Paragraph (k) of subdivision 4 of section 209 of the elder
2 law, as separately amended by section 41 of part A of chapter 58 and
3 chapter 410 of the laws of 2010, is amended to read as follows:
4 (k) a requirement that any aid provided pursuant to this section be
5 matched by an equal amount, in-kind support of equal value, or some
6 combination thereof from other sources, provided that such in-kind
7 support to be utilized only upon approval from the director and only to
8 the extent matching funds are not available, and that at least twenty-
9 five percent of such amount be contributed by the housing development
10 governing body or other owners or managers and residents of the apart-
11 ment buildings and housing complexes in which the project is proposed,
12 OR, UPON APPROVAL BY THE DIRECTOR, SOURCES IN NEIGHBORHOODS CONTIGUOUS
13 TO THE BOUNDARIES OF THE GEOGRAPHIC AREAS SERVED WHERE SERVICES MAY ALSO
14 BE PROVIDED PURSUANT TO SUBDIVISION SIX OF THIS SECTION; and
15 S 2. Subparagraph 6 of paragraph (c) of subdivision 5-a of section 209
16 of the elder law, as separately amended by section 41 of part A of chap-
17 ter 58 and chapter 410 of the laws of 2010, is amended to read as
18 follows:

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

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1 (6) a requirement that the applicant commit to raising matching funds,
2 in-kind support, or some combination thereof from non-state sources,
3 provided that such in-kind support be utilized only upon approval from
4 the director and only to the extent matching funds are not available,
5 equal to fifteen percent of the state grant in the second year after the
6 program is approved, twenty-five percent in the third year, forty
7 percent in the fourth year, and fifty percent in the fifth year, and
8 further commit that in each year, twenty-five percent of such required
9 matching funds, in-kind support, or combination thereof be raised within
10 the community served AND, UPON APPROVAL BY THE DIRECTOR, IN NEIGHBOR-
11 HOODS CONTIGUOUS TO THE BOUNDARIES OF THE GEOGRAPHIC AREAS SERVED WHERE
12 SERVICES MAY ALSO BE PROVIDED PURSUANT TO SUBDIVISION SIX OF THIS
13 SECTION. Such local community matching funds, in-kind support, or
14 combination thereof shall include but not be limited to: dues, fees for
15 service, individual and community contributions, and such other funds as
16 the advisory committee and the director shall deem appropriate;

17 S 3. Subdivision 6 of section 209 of the elder law, as amended by
18 section 41 of part A of chapter 58 of the laws of 2010, is amended to
19 read as follows:

20 6. The director may allow services provided by a naturally occurring
21 retirement community supportive service program or by a neighborhood
22 naturally occurring retirement community to also include services to
23 residents who live in neighborhoods contiguous to the boundaries of the
24 geographic area served by such programs if: (a) the persons served are
25 older adults; (b) the services affect the health and welfare of such
26 persons; and (c) the services are provided on a one-time basis in the
27 year in which they are provided, and not in a manner which is said or
28 intended to be continuous. The director may also consent to the
29 provision of such services by such program if the program has received a
30 grant which requires services to be provided beyond the geographic boun-
31 daries of the program. The director shall establish procedures under
32 which a program may request the ability to provide such services. THE
33 PROVISION OF SUCH SERVICES SHALL NOT AFFECT THE FUNDING PROVIDED TO THE
34 PROGRAM BY THE DEPARTMENT PURSUANT TO THIS SECTION.

35 S 4. This act shall take effect immediately.