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

5543

2011-2012 Regular Sessions

I N A S S E M B L Y

February 23, 2011

Introduced by M. of A. ENGLEBRIGHT, JAFFEE, MILLMAN, BOYLAND, SCHROEDER, ROSENTHAL, BROOK-KRASNY, BENEDETTO, JACOBS, CYMBROWITZ, GUNTHER, ORTIZ, LUPARDO, COOK, GALEF, O'DONNELL, LAVINE -- Multi-Sponsored by -- M. of A. ABBATE, BING, BRENNAN, COLTON, DESTITO, GABRYSZAK, GOTTFRIED, V. LOPEZ, MAISEL, McENENY, PHEFFER, ROBINSON, SCHIMEL, WEISENBERG -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to 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:

Section 1. Paragraph (f) of subdivision 1 of section 209 of the elder law, as amended by section 41 of part A of chapter 58 of the laws of 2010, is amended to read as follows:

(f) ["Naturally] A CLASSIC OR HOUSING-BASED "NATURALLY occurring retirement community" shall mean an apartment building OR BUILDINGS, or housing complex OR COMPLEXES which:

(1) [was constructed with government assistance;

(2)] was not originally built for older adults;

[(3)] (2) does not restrict admissions solely to older adults;

(3) IS A COMMUNITY IN WHICH AT LEAST TWO HUNDRED FIFTY OLDER ADULTS RESIDE AND SUCH OLDER ADULTS COMPRISE NOT LESS THAN FORTY PERCENT OF THE RESIDENTS, OR A COMMUNITY WITH AT LEAST FIVE HUNDRED OLDER ADULT RESIDENTS;

(4) [at least fifty percent of the units have an occupant who is an older adult or in which at least twenty-five hundred of the residents are older adults; and

(5)] a majority of the older adults to be served are low or moderate income, as defined by the United States Department of Housing and Urban Development.

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

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S 2. Paragraph (a) of subdivision 5-a of section 209 of the elder law, as amended by section 41 of part A of chapter 58 of the laws of 2010, is amended to read as follows:

(a) the term [Neighborhood NORC] "NEIGHBORHOOD NORC" as used in this subdivision shall mean and refer to [a] residential [dwelling or group of residential] dwellings, WITHOUT COMMON OWNERSHIP, in a geographically defined neighborhood of a municipality containing not more than two thousand persons who are older adults, AND reside in at least forty percent of the units [and which is made up of low-rise buildings six stories or less in height and/or single and multi-family homes] and which area was not originally developed for older adults, and which does not restrict admission strictly to older adults;

S 3. This act shall take effect immediately.