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I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CROUCH, GIGLIO, HAWLEY, BARCLAY, CERETTO, JOHNS, McLAUGHLIN, P. LOPEZ, PALMESANO, BLANKENBUSH -- Multi-Sponsored by -- M. of A. GOODELL, LOSQUADRO, OAKS, TENNEY -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to people receiving public assistance

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

Section 1. Section 131 of the social services law is amended by adding a new subdivision 9-a to read as follows:

9-A. UPON DETERMINING THAT A PERSON IS ELIGIBLE FOR ANY FORM OR CATEGORY OF PUBLIC ASSISTANCE AND PRIOR TO MAKING ANY DISTRIBUTION TO SUCH PERSON, THE SOCIAL SERVICES OFFICIAL SHALL REQUIRE THE PERSON SEEKING ASSISTANCE TO SUBMIT TO A DRUG TEST. THE COMMISSIONER OF HEALTH SHALL ESTABLISH RULES AND REGULATIONS REGARDING THE METHOD OF TESTING, THE FREQUENCY OF TESTING, THE SUBSTANCES FOR WHICH TO BE TESTED, AND WHAT CONSTITUTES FAILING SUCH DRUG TEST. IF A PERSON FAILS THE DRUG TEST, HE OR SHE SHALL ENROLL IN A DRUG REHABILITATION PROGRAM CERTIFIED BY THE COMMISSIONER OF HEALTH. SUCH PERSON SHALL NOT BE ELIGIBLE TO RECEIVE ANY ASSISTANCE UNDER THIS CHAPTER IF HE OR SHE FAILS TO ENROLL AND ACTIVELY PARTICIPATE IN THE REHABILITATION PROGRAM.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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