

5730

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 3, 2015

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

AN ACT to amend the social services law, in relation to housing subsi-  
dies for victims of domestic violence

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

1     Section 1. The social services law is amended by adding a new section  
2     131-bb to read as follows:  
3     S 131-BB. DOMESTIC VIOLENCE HOUSING SUBSIDIES. 1. NOTWITHSTANDING ANY  
4     INCONSISTENT PROVISION OF LAW, EVERY SOCIAL SERVICES DISTRICT SHALL  
5     OFFER AND PROVIDE HOUSING SUBSIDIES TO VICTIMS OF DOMESTIC VIOLENCE.  
6     2. VICTIMS OF DOMESTIC VIOLENCE SHALL BE ELIGIBLE FOR A SUBSIDY IN THE  
7     AMOUNT OF SEVENTY PERCENT OF THE RENTAL COST OF THE DWELLING UNIT OR THE  
8     MEDIAN HOUSING RENTAL COST FOR THE COUNTY, WHICHEVER IS LOWER. SUCH  
9     HOUSING SUBSIDY SHALL BE USED FOR RENTAL PAYMENTS FOR SUCH DWELLING UNIT  
10    AND SHALL NOT BE MADE AVAILABLE FOR MORE THAN ONE YEAR. THE PREVAILING  
11    COST OF RENT FOR AN AREA SHALL NOT EXCEED EIGHTY PERCENT OF THE COST FOR  
12    THE REGION.  
13    3. A VICTIM OF DOMESTIC VIOLENCE SHALL ONLY BE ELIGIBLE FOR THE HOUS-  
14    ING SUBSIDY AUTHORIZED PURSUANT TO THIS SECTION IN THE EVENT THAT SUCH  
15    PERSON:  
16    (A) IS A VICTIM OF DOMESTIC VIOLENCE AS DEFINED IN ARTICLE SIX-A OF  
17    THIS CHAPTER;  
18    (B) IS NOT OTHERWISE ELIGIBLE FOR SHELTER UNDER THIS ARTICLE OR IN THE  
19    EVENT THAT SUCH SHELTER IS INAPPROPRIATE FOR SUCH PERSON;  
20    (C) HAS A HOUSEHOLD INCOME OF LESS THAN TWELVE THOUSAND DOLLARS AND  
21    ACCESSIBLE CASH RESOURCES OF LESS THAN ONE THOUSAND DOLLARS; AND  
22    (D) HAS BEEN CERTIFIED AS A DOMESTIC VIOLENCE VICTIM BY THE LOCAL  
23    SOCIAL SERVICES DISTRICT.  
24    4. VICTIMS OF DOMESTIC VIOLENCE SHALL BE CERTIFIED BY THE LOCAL SOCIAL  
25    SERVICES DISTRICT UPON A FINDING OF:

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

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1 (A) A CRIMINAL CONVICTION OF THE ASSAILANT OF A SERIOUS CRIMINAL  
2 CHARGE;

3 (B) THE ISSUANCE OF A TEMPORARY OR PERMANENT ORDER OF PROTECTION  
4 INVOLVING SERIOUS BODILY HARM TO THE VICTIM;

5 (C) A POLICE REPORT DOCUMENTING SERIOUS ACCOUNTS OF PHYSICAL DOMESTIC  
6 VIOLENCE;

7 (D) A SUBSTANTIATED DETERMINATION BY A BATTERED WOMEN'S SHELTER COUN-  
8 SELOR THAT A PARTICULAR SHELTER RESIDENT IS IN SERIOUS PHYSICAL DANGER;

9 (E) A SUBSTANTIATED DETERMINATION BY A RAPE CRISIS CENTER COUNSELOR  
10 THAT A VICTIM OF DOMESTIC VIOLENCE IS IN SERIOUS PHYSICAL DANGER;

11 (F) A SUBSTANTIATED DETERMINATION BY A CERTIFIED BATTERER'S TREATMENT  
12 PROGRAM COUNSELOR THAT A VICTIM OF DOMESTIC VIOLENCE IS IN SERIOUS PHYS-  
13 ICAL DANGER; OR

14 (G) THE REASONABLE FEAR OF A BATTERED PERSON THAT SUCH PERSON WILL  
15 ENCOUNTER FURTHER SERIOUS PHYSICAL RETALIATION.

16 5. THE CONTINUED NEED FOR SUCH SHELTER SHALL BE REVIEWED MONTHLY,  
17 EVALUATED AND AUTHORIZED MONTHLY BY A SOCIAL SERVICES OFFICIAL. SUCH  
18 HOUSING SUBSIDY SHALL BE AVAILABLE IN LIEU OF ANY OTHER ALLOWANCE OTHER-  
19 WISE AVAILABLE FOR SHELTER.

20 6. THE COMMISSIONER OF THE OFFICE OF CHILDREN AND FAMILY SERVICES  
21 SHALL ISSUE REGULATIONS GOVERNING DOMESTIC VIOLENCE HOUSING SUBSIDIES.

22 S 2. This act shall take effect on the ninetieth day after it shall  
23 have become a law.