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

6761

I N S E N A T E

February 17, 2016

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law and the general municipal law, in relation to the use of supplemental nutritional assistance program benefits and public benefit cards

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

Section 1. The executive law is amended by adding two new sections 163-b to 163-c to read as follows:

S 163-B. RESTRICTIONS ON USE OF PUBLIC BENEFIT CARDS. ANY STATE ENTITY THAT ISSUES A PUBLIC BENEFIT CARD TO AN INDIVIDUAL FOR THE PURPOSE OF SUBSIDIZING THE COST OF FOOD FOR SUCH PERSON OR HIS OR HER FAMILY, SHALL ENSURE THAT SUCH CARDS MAY ONLY BE USED TO PURCHASE FOOD AND BEVERAGE ITEMS THAT ARE NOT DEEMED LUXURY FOOD ITEMS BY THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE AND HAVE BEEN DECLARED EXEMPT FROM TAXATION BY THE DEPARTMENT OF TAXATION AND FINANCE.

S 163-C. RESTRICTIONS ON USE OF SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM BENEFITS. THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE SHALL ESTABLISH A LIST OF LUXURY FOOD ITEMS FOR WHICH THE USE OF SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM BENEFITS OR PUBLIC BENEFIT CARDS UNDER SECTION ONE HUNDRED SIXTY-THREE-B OF THIS ARTICLE AND SECTION TWENTY-FIVE OF THE GENERAL MUNICIPAL LAW SHALL BE PROHIBITED.

S 2. The general municipal law is amended by adding a new section 25 to read as follows:

S 25. RESTRICTIONS ON USE OF PUBLIC BENEFIT CARDS. ANY MUNICIPAL ENTITY THAT ISSUES A PUBLIC BENEFIT CARD TO AN INDIVIDUAL FOR THE PURPOSE OF SUBSIDIZING THE COST OF FOOD FOR SUCH PERSON OR HIS OR HER FAMILY, SHALL ENSURE THAT SUCH CARDS MAY ONLY BE USED TO PURCHASE FOOD AND BEVERAGE ITEMS THAT ARE NOT DEEMED LUXURY FOOD ITEMS BY THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE AND HAVE BEEN DECLARED EXEMPT FROM TAXATION BY THE DEPARTMENT OF TAXATION AND FINANCE.

S 3. This act shall take effect on the ninetieth 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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