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I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sens. MURPHY, CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to directing the division of homeland security and emergency services to develop a plan to ensure that refugee settlement agencies monitor certain refugees; and directing the office for new Americans to conduct a background check on refugees; to amend the social services law, in relation to requiring aliens admitted to the United States as refugees to register with the office of temporary and disability assistance; and to amend the not-for-profit corporation law, in relation to requiring refugee resettlement agencies to submit quarterly reports to the bureau of refugee and immigrant assistance and requiring such agencies to monitor refugees for a certain period of time

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

1 Section 1. Paragraph (u) of subdivision 2 of section 709 of the execu-
2 tive law is relettered paragraph (v) and a new paragraph (u) is added to
3 read as follows:

4 (U) DEVELOP AND IMPLEMENT A PLAN TO ENSURE THAT ALL REFUGEE SETTLEMENT
5 AGENCIES COMPLY WITH THE REQUIREMENTS OF SECTION ONE THOUSAND FOUR
6 HUNDRED THIRTEEN OF THE NOT-FOR-PROFIT CORPORATION LAW.

7 S 2. Paragraphs (m) and (n) of subdivision 5 of section 94-b of the
8 executive law, as added by chapter 206 of the laws of 2014, are amended
9 and a new paragraph (o) is added to read as follows:

10 (m) Encourage and assist local governments in the development of
11 activities to enhance civic engagement among immigrants and in immigrant
12 communities; [and]

13 (n) Beginning in two thousand fifteen, by June fifteenth of each year,
14 produce a report to the governor, the speaker of the assembly, and the
15 temporary president of the senate describing the activities of the
16 office, including but not limited to, summarizing calls received through
17 the hotline and website, information on ESOL training services provided

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

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1 by the office, the number of immigrants assisted through the opportunity
2 centers, or an estimation thereof, the status of any workforce develop-
3 ment programs, and any other relevant information[.]; AND

4 (O) SCREEN AND PERFORM A BACKGROUND SCREENING OF EVERY IMMIGRANT WHO
5 REGISTERS PURSUANT TO SUBDIVISION NINE OF SECTION TWENTY OF THE SOCIAL
6 SERVICES LAW, TO ENSURE THAT THE IMMIGRANT DOES NOT PRESENT A SECURITY
7 RISK TO THE STATE OR THE UNITED STATES. THE OFFICE SHALL PROVIDE THE
8 RESULTS OF EACH SUCH SCREENING TO THE DEPARTMENT OF LAW, THE DIVISION OF
9 STATE POLICE, AND THE DIVISION OF HOMELAND SECURITY AND EMERGENCY
10 SERVICES.

11 S 3. Paragraph (i) of subdivision 3 of section 20 of the social
12 services law, as added by chapter 304 of the laws of 1990, is amended
13 and a new paragraph (j) is added to read as follows:

14 (i) to assure conformance with federal law, by entering into agree-
15 ments with the federal social security administration and public agen-
16 cies in other states responsible for administering the food stamp
17 program or programs under title I, II, IV-A, IV-D, X, XIV, XVI, or XIX
18 of the social security act under which the department will provide such
19 agencies, when required by federal law and only to the extent so
20 required, with data which may be of use in establishing or verifying
21 eligibility for or benefit amounts in such programs or ability to pay
22 support for a person receiving support collection services including
23 data obtained from the wage reporting system operated by the state
24 department of taxation and finance pursuant to section one hundred
25 seventy-one-a of the tax law[.]; AND

26 (J) TO COLLECT AND MAINTAIN REPORTS SUBMITTED BY REFUGEE RESETTLEMENT
27 AGENCIES PURSUANT TO SECTION FOURTEEN HUNDRED THIRTEEN OF THE
28 NOT-FOR-PROFIT CORPORATION LAW.

29 S 4. Section 20 of the social services law is amended by adding a new
30 subdivision 9 to read as follows:

31 9. (A) THE BUREAU OF REFUGEE AND IMMIGRANT ASSISTANCE OF THE OFFICE OF
32 TEMPORARY AND DISABILITY ASSISTANCE SHALL PROVIDE TO EACH ALIEN WHO
33 RESIDES IN THE STATE, AND WHO WAS ADMITTED TO THE UNITED STATES OF AMER-
34 ICA AS A REFUGEE PURSUANT TO SECTION TWO HUNDRED SEVEN OF THE UNITED
35 STATES IMMIGRATION AND NATIONALITY ACT (8 USC S 1157) OR WHO WAS GRANTED
36 ASYLUM PURSUANT TO SECTION TWO HUNDRED EIGHT OF SUCH ACT (8 USC S 1158),
37 THAT HE OR SHE IS REQUIRED, WITHIN THIRTY DAYS OF ENTERING THE STATE,
38 TO:

39 (I) REGISTER AS A REFUGEE WITH THE OFFICE OF TEMPORARY AND DISABILITY
40 ASSISTANCE; AND

41 (II) BE INTERVIEWED BY AND PROVIDE HIS OR HER FINGERPRINTS TO AN OFFI-
42 CER OR EMPLOYEE OF SUCH OFFICE DESIGNATED BY THE COMMISSIONER OF TEMPO-
43 RARY AND DISABILITY ASSISTANCE.

44 (B) THE COMMISSIONER OF TEMPORARY AND DISABILITY ASSISTANCE SHALL
45 MAINTAIN ALL REFUGEE REGISTRATION DATA AND INFORMATION IN AN ELECTRONIC
46 DATABASE. NOT LESS THAN ON A MONTHLY BASIS, THE OFFICE OF TEMPORARY AND
47 DISABILITY ASSISTANCE SHALL FORWARD A COPY OF THE REGISTRATION RECORD OF
48 EACH REFUGEE WHO REGISTERED DURING THE PRECEDING MONTH, TO THE OFFICE OF
49 CHILDREN AND FAMILY SERVICES, THE DEPARTMENT OF HEALTH, THE OFFICE FOR
50 NEW AMERICANS, THE DEPARTMENT OF LAW, THE DIVISION OF STATE POLICE, AND
51 THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES.

52 (C) ANNUALLY, ON OR BEFORE FEBRUARY FIRST, THE COMMISSIONER OF TEMPO-
53 RARY AND DISABILITY ASSISTANCE SHALL SUBMIT A REPORT ON THE REGISTRATION
54 PROGRAM ESTABLISHED BY THIS SUBDIVISION TO THE GOVERNOR, THE TEMPORARY
55 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY. SUCH REPORT

1 SHALL INCLUDE THE NUMBER OF REFUGEES WHO REGISTERED DURING THE PREVIOUS
2 CALENDAR YEAR AND THEIR COUNTRIES OF ORIGIN.

3 S 5. The not-for-profit corporation law is amended by adding a new
4 section 1413 to read as follows:

5 S 1413. REFUGEE RESETTLEMENT AGENCIES.

6 (A) DEFINITION. "REFUGEE RESETTLEMENT AGENCY" MEANS A VOLUNTARY AGEN-
7 CY, AS DEFINED PURSUANT TO SECTION 1411 OF THE UNITED STATES IMMIGRATION
8 AND NATIONALITY ACT (8 U.S.C. S 1521), ORGANIZATION, OR AFFILIATE OF
9 SUCH AGENCY OR ORGANIZATION THAT RECEIVES FEDERAL FUNDING FOR REFUGEE
10 RECEPTION AND PLACEMENT RESETTLEMENT SERVICES OR OTHER FEDERAL GRANTS
11 INTENDED FOR THE SUPPORT OF REFUGEE RESETTLEMENT ACTIVITIES.

12 (B) REPORTING REQUIREMENT. EACH REFUGEE RESETTLEMENT AGENCY SHALL
13 REPORT, ON A QUARTERLY BASIS, TO THE BUREAU OF REFUGEE AND IMMIGRANT
14 ASSISTANCE OF THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE:

15 (1) THE TOTAL NUMBER OF REFUGEES RESETTLED BY THE AGENCY AND THE TOTAL
16 OF SUCH REFUGEES IN EACH OF THE FOLLOWING AGE GROUPS:

17 (A) UNDER EIGHTEEN YEARS OF AGE,

18 (B) BETWEEN EIGHTEEN AND SIXTY-FOUR YEARS OF AGE, AND

19 (C) SIXTY-FIVE YEARS OF AGE OR OLDER;

20 (2) THE PUBLIC ASSISTANCE BENEFITS THE REFUGEES HAVE APPLIED FOR OR
21 HAVE BEEN GRANTED; AND

22 (3) THE COUNTRIES OF ORIGIN OF THE REFUGEES.

23 (C) MONITORING REQUIREMENT. EACH REFUGEE RESETTLEMENT AGENCY SHALL
24 MONITOR REFUGEES WHO HAVE REGISTERED WITH THE OFFICE OF TEMPORARY AND
25 DISABILITY ASSISTANCE PURSUANT TO SUBDIVISION NINE OF SECTION TWENTY OF
26 THE SOCIAL SERVICES LAW FOR A PERIOD OF ONE YEAR OR UNTIL SUCH TIME AS A
27 REFUGEE IS GRANTED PERMANENT RESIDENT STATUS BY THE UNITED STATES CITI-
28 ZENSHIP AND IMMIGRATION SERVICES, WHICHEVER SHALL OCCUR FIRST.

29 S 6. This act shall take effect immediately.