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

6253--A

I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sens. MURPHY, CROCI, AMEDORE, GALLIVAN, GOLDEN, MARCHIONE, MARTINS, NOZZOLIO, ORTT, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 resettlement 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:

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

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

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

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

(n) Beginning in two thousand fifteen, by June fifteenth of each year, produce a report to the governor, the speaker of the assembly, and the

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

LBD13199-06-6

temporary president of the senate describing the activities of the office, including but not limited to, summarizing calls received through the hotline and website, information on ESOL training services provided by the office, the number of immigrants assisted through the opportunity centers, or an estimation thereof, the status of any workforce development programs, and any other relevant information[.]; AND

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

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

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

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

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

9. (A) THE BUREAU OF REFUGEE AND IMMIGRANT ASSISTANCE OF THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE SHALL PROVIDE TO EACH ALIEN WHO RESIDES IN THE STATE, AND WHO WAS ADMITTED TO THE UNITED STATES OF AMERICA AS A REFUGEE PURSUANT TO SECTION TWO HUNDRED SEVEN OF THE UNITED STATES IMMIGRATION AND NATIONALITY ACT (8 U.S.C. S 1157) OR WHO WAS GRANTED ASYLUM PURSUANT TO SECTION TWO HUNDRED EIGHT OF SUCH ACT (8 U.S.C. S 1158), THAT HE OR SHE IS REQUIRED, WITHIN THIRTY DAYS OF ENTERING THE STATE, TO:

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

(II) BE INTERVIEWED BY AND PROVIDE HIS OR HER FINGERPRINTS TO AN OFFICER OR EMPLOYEE OF SUCH OFFICE DESIGNATED BY THE COMMISSIONER OF TEMPORARY AND DISABILITY ASSISTANCE.

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

(C) ANNUALLY, ON OR BEFORE FEBRUARY FIRST, THE COMMISSIONER OF TEMPORARY AND DISABILITY ASSISTANCE SHALL SUBMIT A REPORT ON THE REGISTRATION

PROGRAM ESTABLISHED BY THIS SUBDIVISION TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY. SUCH REPORT SHALL INCLUDE THE NUMBER OF REFUGEES WHO REGISTERED DURING THE PREVIOUS CALENDAR YEAR AND THEIR COUNTRIES OF ORIGIN.

(D) FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "ALIEN" SHALL HAVE THE SAME MEANING AS IS ASCRIBED TO SUCH TERM BY SECTION ONE HUNDRED ONE OF THE UNITED STATES IMMIGRATION AND NATIONALITY ACT (8 U.S.C. 1101).

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

S 1413. REFUGEE RESETTLEMENT AGENCIES.

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

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

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

(A) UNDER EIGHTEEN YEARS OF AGE,

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

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

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

(3) THE COUNTRIES OF ORIGIN OF THE REFUGEES.

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

S 6. This act shall take effect immediately.