

STATE OF NEW YORK

8994--A

IN SENATE

June 12, 2018

Introduced by Sen. MURPHY -- (at request of the Office of Temporary and Disability Assistance) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law and the abandoned property law, in relation to the transfer of unclaimed support collections and unidentified payments; and repealing certain provisions of such laws relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 5, 6, 7, 12, 13, 14, 15, 16 and 17 of section
2 111-h of the social services law are REPEALED, subdivisions 18, 19 and
3 20 are renumbered subdivisions 12, 13 and 14 and three new subdivisions
4 5, 6 and 7 are added to read as follows:

5 5. Except as provided in subdivision six of this section, any funds
6 paid to a support collection unit established by a social services
7 district which have not been disbursed after two years of diligent
8 efforts to locate the person entitled to such funds shall be paid to the
9 state comptroller in accordance with subdivision seven of this section
10 unless information has been received that is likely to lead to the
11 location of the person who is entitled to such funds; provided, however,
12 where the support collection unit determines that the person entitled to
13 the funds is deceased and cannot locate an estate for the person enti-
14 tled to the funds, or the estate does not claim the funds, such funds
15 may be paid to the state comptroller in accordance with subdivision
16 seven of this section without two years of diligent efforts.

17 6. Any funds paid to a support collection unit established by a social
18 services district for which the remitter of such funds has not provided
19 sufficient identifying information to associate the funds with an exist-
20 ing or previously existing child support account, and such information
21 cannot be determined after diligent efforts, shall be paid to the state
22 comptroller in accordance with subdivision seven of this section.

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

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1 7. In the month of April, on or before the tenth day thereof, such
2 payment shall be delivered to the state comptroller and shall be accom-
3 panied by a written report, affirmed as true and accurate under the
4 penalty of perjury, classified as the state comptroller shall prescribe,
5 setting forth: (a) the names and last known addresses, if any, of the
6 persons entitled to receive such abandoned property; (b) the title of
7 any proceeding relating to such abandoned property; and (c) such other
8 identifying information as the state comptroller may require.

9 § 2. Paragraph (c) of subdivision 1 of section 600 of the abandoned
10 property law is REPEALED.

11 § 3. Subdivision 3 of section 602 of the abandoned property law is
12 REPEALED.

13 § 4. The abandoned property law is amended by adding a new section
14 1318 to read as follows:

15 § 1318. Unclaimed spousal and child support. Any amount representing
16 child support or child and spousal support paid to a support collection
17 unit established by a social services district which has been delivered
18 to the state comptroller pursuant to subdivision seven of section one
19 hundred eleven-h of the social services law shall be deemed abandoned
20 property. On or before the tenth day of April in each year, such aban-
21 doned property shall be paid to the state comptroller. Such payment
22 shall be accompanied by a verified written report in such form as the
23 state comptroller may prescribe.

24 § 5. This act shall take effect immediately; provided, however, that
25 any funds which were deposited with the county treasurer or the commis-
26 sioner of finance of the city of New York in accordance with section
27 111-h of the social services law prior to the effective date of this act
28 shall be delivered to the state comptroller in the first April following
29 the effective date of this act, in accordance with subdivision 7 of
30 section 111-h of the social services law, as set forth in section one of
31 this act.