

STATE OF NEW YORK

8683

2019-2020 Regular Sessions

IN ASSEMBLY

October 23, 2019

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

AN ACT to amend the social services law, in relation to exempting certain income from temporary work related to improving participation in the decennial census in the calculation of household benefits under public assistance programs

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

1 Section 1. Subdivision 1 of section 131-n of the social services law,
2 as separately amended by chapters 323 and 329 of the laws of 2019, is
3 amended to read as follows:
4 1. The following resources shall be exempt and disregarded in calcu-
5 lating the amount of benefits of any household under any public assist-
6 ance program: (a) cash and liquid or nonliquid resources up to two thou-
7 sand dollars, or three thousand dollars in the case of households in
8 which any member is sixty years of age or older, (b) an amount up to
9 four thousand six hundred fifty dollars in a separate bank account
10 established by an individual while currently in receipt of assistance
11 for the sole purpose of enabling the individual to purchase a first or
12 replacement vehicle for the recipient to seek, obtain or maintain
13 employment, so long as the funds are not used for any other purpose, (c)
14 an amount up to one thousand four hundred dollars in a separate bank
15 account established by an individual while currently in receipt of
16 assistance for the purpose of paying tuition at a two-year or four-year
17 accredited post-secondary educational institution, so long as the funds
18 are not used for any other purpose, (d) the home which is the usual
19 residence of the household, (e) one automobile, up to ten thousand
20 dollars fair market value, through March thirty-first, two thousand
21 seventeen; one automobile, up to eleven thousand dollars fair market
22 value, from April first, two thousand seventeen through March thirty-
23 first, two thousand eighteen; and one automobile, up to twelve thousand

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

LBD13962-01-9

1 dollars fair market value, beginning April first, two thousand eighteen
2 and thereafter, or such other higher dollar value as the local social
3 services district may elect to adopt, (f) one burial plot per household
4 member as defined in department regulations, (g) bona fide funeral
5 agreements up to a total of one thousand five hundred dollars in equity
6 value per household member, (h) funds in an individual development
7 account established in accordance with subdivision five of section three
8 hundred fifty-eight of this chapter and section four hundred three of
9 the social security act, (i) for a period of six months, real property
10 which the household is making a good faith effort to sell, in accordance
11 with department regulations and tangible personal property necessary for
12 business or for employment purposes in accordance with department regu-
13 lations, [~~and~~] (j) funds in a qualified tuition program that satisfies
14 the requirement of section 529 of the Internal Revenue Code of 1986, as
15 amended, [~~and (j)~~] (k) funds in a New York achieving a better life expe-
16 rience savings account established in accordance with article eighty-
17 four of the mental hygiene law, and (l) any income or stipend paid by
18 the United States census bureau, a governmental entity, or a nonprofit
19 organization for temporary work related to improving participation in
20 the decennial census that is earned during the year preceding a decenni-
21 al census and during the year of the decennial census. If federal law
22 or regulations require the exemption or disregard of additional income
23 and resources in determining need for family assistance, or medical
24 assistance not exempted or disregarded pursuant to any other provision
25 of this chapter, the department may, by regulations subject to the
26 approval of the director of the budget, require social services offi-
27 cials to exempt or disregard such income and resources. Refunds result-
28 ing from earned income tax credits shall be disregarded in public
29 assistance programs.

30 § 2. This act shall take effect immediately; provided, however, that
31 the amendments to section 131-n of the social services law made by
32 section one of this act shall not affect the expiration of such section
33 and shall be deemed to expire therewith.