

STATE OF NEW YORK

1997

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

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

AN ACT to amend the executive law, the general municipal law, and the public authorities law, in relation to providing eligibility for state or local public benefits regardless of immigration status

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

1 Section 1. The executive law is amended by adding a new section 170-d
2 to read as follows:

3 § 170-d. Eligibility for state or local public benefits regardless of
4 immigration status. A state agency may, at its discretion, provide state
5 or local public benefits, as defined by the federal personal responsi-
6 bility and work opportunity reconciliation act 8 U.S.C. 1621 or any
7 successor provision, to persons who, but for such federal law restrict-
8 ing eligibility for such benefits based on immigration status, would be
9 otherwise eligible for such benefits from such agency. For the purposes
10 of this section, a "state agency" shall mean any department, bureau,
11 commission, board, division, office, or agency of the state.

12 § 2. The general municipal law is amended by adding a new section
13 99-h-1 to read as follows:

14 § 99-h-1. Eligibility for state or local benefits regardless of immi-
15 gration status. A municipal corporation may, at its discretion, provide
16 state or local public benefits, as defined by the federal personal
17 responsibility and work opportunity reconciliation act 8 U.S.C. 1621 or
18 any successor provision, to persons who, but for such federal law
19 restricting eligibility for such benefits based on immigration status,
20 would be otherwise eligible for such benefits from such municipal corpo-
21 ration. For purposes of this section, a "municipal corporation" shall
22 mean a county, city, town, village, school district, or board of cooper-
23 ative educational services of this state or a board of higher education
24 in a city having a population of one million or more.

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

LBD03256-01-1

1 § 3. Article 9 of the public authorities law is amended by adding a
2 new title 13 to read as follows:

3 TITLE 13

4 STATE OR LOCAL PUBLIC BENEFITS

5 Section 2988. Eligibility for state or local public benefits regardless
6 of immigration status.

7 § 2988. Eligibility for state or local public benefits regardless of
8 immigration status. A state authority or local authority may, at its
9 discretion, provide state or local public benefits, as defined by the
10 federal personal responsibility and work opportunity reconciliation act
11 8 U.S.C. 1621 or any successor provision, to persons who, but for such
12 federal law restricting eligibility for such benefits based on immi-
13 gration status, would be otherwise eligible for such benefits from such
14 state or local authority.

15 § 4. This act shall take effect immediately.