STATE OF NEW YORK

4865

2021-2022 Regular Sessions

IN ASSEMBLY

February 8, 2021

Introduced by M. of A. GOODELL -- Multi-Sponsored by -- M. of A. B. MILLER, MORINELLO -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to requiring the homestead exemption used in the calculation for public assistance to be the same as the homestead exemption under the civil practice law and rules

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

Section 1. Paragraphs (d) and (i) of subdivision 1 of section 131-n of the social services law, as separately amended by chapters 323 and 329 of the laws of 2019, are amended to read as follows:

(d) the home which is the usual residence of the household, **provided that the value thereof does not exceed the homestead exemption specified in subdivision (a) of section five thousand two hundred six of the civil practice law and rules,**

(i) for a period of six months, real property which the household is making a good faith effort to sell, in accordance with department regulations and tangible personal property necessary for business or for employment purposes in accordance with department regulations[~~,~~]**; provided, however, that the social services district shall be entitled to recover the cost of assistance or care provided during such six month period up to the net equity value of such property and may, in its discretion, impose a lien on such property to ensure repayment of such assistance upon the sale of such property,** and

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

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

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