

STATE OF NEW YORK

6875

2021-2022 Regular Sessions

IN ASSEMBLY

April 13, 2021

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

AN ACT to amend the social services law, in relation to providing internet access and access to internet-enabled devices to recipients of public assistance and to adults and children in shelters, domestic violence residence programs, and other adult and children residence facilities

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-a of the social services law,
2 as amended by section 12 of part B of chapter 436 of the laws of 1997,
3 is amended to read as follows:
4 1. Any inconsistent provision of this chapter or other law notwithstanding,
5 social services officials shall, in accordance with the
6 provisions of this section and regulations of the department, provide
7 public assistance to needy persons who constitute or are members of a
8 family household, who are determined to be eligible in accordance with
9 standards of need established in subdivision two of this section.
10 Provision for such persons, for all items of need, less any available
11 income or resources which are not required to be disregarded by other
12 provisions of this chapter, shall be made in accordance with this
13 section. Such provision shall be made in monthly or semi-monthly allowances
14 and grants within the limits of the schedules included in subdivision
15 three of this section except for additional amounts which shall be
16 included therein for shelter, fuel for heating, home internet service,
17 additional cost of meals for persons who are unable to prepare meals at
18 home and for other items for which specific provision is otherwise made
19 in article five of this chapter. As used in this section the term "shelter"
20 may include a grant not to exceed two thousand five hundred dollars
21 toward the purchase of an interest in a cooperative. A social services
22 official shall require assignment of recipient's equity in such cooper-

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

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1 ative housing in accordance with the rules of the board and regulations
2 of the department.

3 § 2. Paragraph (b) of subdivision 2 of section 131-a of the social
4 services law, as amended by chapter 87 of the laws of 1993, is amended
5 to read as follows:

6 (b) In addition to the above, the standard of need shall include
7 amounts for shelter and fuel for heating, amounts for home energy
8 payments (including amounts for supplemental home energy grants),
9 amounts for home internet service payments, amounts for additional cost
10 of meals for persons who are unable to prepare meals at home and amounts
11 for other items when required by individual case circumstances for which
12 specific provision is otherwise made in article five of this chapter.
13 For purposes of determining the amount to be included in the standard of
14 need for shelter and fuel for heating, to the extent that federal
15 reimbursement is available therefor, social services officials shall
16 include in the household any child who has entered foster care pursuant
17 to section three hundred eighty-four-a of this chapter who was eligible
18 for and in receipt of assistance and care as a member of the household
19 in and for the month of entry into foster care and for whom the family
20 service plan, as defined in section four hundred nine-e of this chapter,
21 includes a goal of discharge to a member of the household.

22 § 3. Section 131-a of the social services law is amended by adding two
23 new subdivisions 3-e and 6 to read as follows:

24 3-e. Commencing January first, two thousand twenty-two, for persons
25 and families determined to be eligible by the application of the stand-
26 ard of need prescribed by the provisions of subdivision two of this
27 section, shall receive a home internet service grant equal to an amount
28 which shall be determined by the department as sufficient to provide for
29 home internet service for such persons and families.

30 6. Notwithstanding any other provisions of this chapter or other law,
31 a social services official shall make provisions for the purchase of an
32 internet-enabled device for the home of a person in need of public
33 assistance, provided provision therefor cannot otherwise be made.

34 § 4. Section 461-c of the social services law is amended by adding a
35 new subdivision 10 to read as follows:

36 10. Adult care facilities subject to the provisions of this title
37 shall provide residents of such facilities with access to internet-ena-
38 bled devices and internet service.

39 § 5. Section 462 of the social services law is amended by adding a new
40 subdivision 3 to read as follows:

41 3. Child care facilities subject to the provisions of this title shall
42 provide residents of such facilities with access to internet-enabled
43 devices and internet service.

44 § 6. Section 459-b of the social services law, as amended by chapter 7
45 of the laws of 2016, is amended to read as follows:

46 § 459-b. Residential services for victims of domestic violence. 1. In
47 accordance with section one hundred thirty-one-u of this chapter and the
48 regulations of the office of children and family services, a social
49 services district shall offer and provide necessary and available emer-
50 gency shelter and services for up to ninety days at a residential
51 program for victims of domestic violence to a victim of domestic
52 violence who was residing in the social services district at the time of
53 the alleged domestic violence whether or not such victim is eligible for
54 public assistance. Two forty-five day extensions of necessary and avail-
55 able emergency shelter may be granted beyond the maximum length of stay
56 at a residential program for victims of domestic violence for residents

1 who continue to be in need of emergency services and temporary shelter.
2 If the victim of domestic violence has a service animal as such term is
3 defined in section one hundred twenty-three-b of the agriculture and
4 markets law, or therapy dog as such term is defined in section one
5 hundred eight of the agriculture and markets law, respectively, such
6 service animal or therapy dog shall be allowed to accompany the victim
7 at the residential program authorized pursuant to this section, so long
8 as such accompaniment would not create an undue burden as defined by
9 section two hundred ninety-six of the executive law.

10 2. Where such accompaniment would constitute an undue burden, the
11 residential program shall make reasonable efforts to facilitate place-
12 ment of such animal at an off-site animal care facility or if reasonable
13 efforts fail, provide referral to one or more off-site animal care
14 facilities. Such off-site animal care may include, but not be limited
15 to, boarding at a veterinary hospital or under the auspices of a duly
16 incorporated humane society, or duly incorporated animal protection
17 association approved for such purpose by the department of agriculture
18 and markets.

19 3. Nothing in this section shall be construed to limit any rights or
20 obligations provided pursuant to federal or state law, including but not
21 limited to providing reasonable accommodations for individuals with
22 disabilities.

23 4. Residential programs for victims of domestic violence shall provide
24 access to internet-enabled devices and internet service to residents of
25 such facilities.

26 § 7. Subdivision 38 of section 2 of the social services law is amended
27 by adding a new paragraph (j) to read as follows:

28 (j) "Internet-enabled device" means any hardware technology including,
29 but not limited to, a cellular telephone, computer, or tablet device
30 that is capable of providing wireless or wireline internet access.

31 § 8. This act shall take effect on the ninetieth day after it shall
32 have become a law. Effective immediately, the addition, amendment and/or
33 repeal of any rule or regulation necessary for the implementation of
34 this act on its effective date are authorized to be made and completed
35 on or before such effective date.