

# STATE OF NEW YORK

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7942

2021-2022 Regular Sessions

## IN ASSEMBLY

June 2, 2021

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Introduced by M. of A. WEINSTEIN -- read once and referred to the  
Committee on Ways and Means

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 Assem-  
bly, 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2 111-h of the social services law are REPEALED, subdivisions 18, 19 and  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 pursuant to section  
3 thirteen hundred eighteen of the abandoned property law, and shall be  
4 accompanied by a written report, affirmed as true and accurate under the  
5 penalty of perjury, classified as the state comptroller shall prescribe,  
6 setting forth: (a) the names and last known addresses, if any, of the  
7 persons entitled to receive such abandoned property; (b) the title of  
8 any proceeding relating to such abandoned property; and (c) such other  
9 identifying information as the state comptroller may require.

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11 property law is REPEALED.

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13 REPEALED.

14     § 4. The abandoned property law is amended by adding a new section  
15 1318 to read as follows:

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

25     § 5. This act shall take effect immediately; provided, however, that  
26 any funds which were deposited with the county treasurer or the commis-  
27 sioner of finance of the city of New York in accordance with section  
28 111-h of the social services law prior to the effective date of this act  
29 shall be delivered to the state comptroller on or before April 1, 2022,  
30 in accordance with subdivision 7 of section 111-h of the social services  
31 law, as set forth in section one of this act.