

# STATE OF NEW YORK

3686

2021-2022 Regular Sessions

## IN ASSEMBLY

January 28, 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 establishing  
transition shelters for individuals released from prison

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

1 Section 1. The social services law is amended by adding a new section  
2 131-bb to read as follows:

3 § 131-bb. Transition shelters program. 1. Notwithstanding any other  
4 provision of law to the contrary, each local social services district  
5 shall provide a shelter supplement to eligible individuals to prevent  
6 homelessness, provide housing counseling and prevent risk of overdose in  
7 accordance with this section.

8 2. (a) Each local social services district shall provide a shelter  
9 supplement to eligible individuals and families as defined in subdivi-  
10 sion three of this section in an amount equal to eighty-five percent of  
11 the fair market rent in the district, as established by the federal  
12 department of housing and urban development, for the particular unit  
13 size. The shelter supplement shall be issued by the local social  
14 services district directly to the landlord or vendor.

15 (b) A local social services district may also provide an additional  
16 supplement in excess of eighty-five percent of the fair market rent, up  
17 to one hundred percent of the fair market rent in the district, as  
18 established by the federal department of housing and urban development.  
19 Provided, however, the cost of the additional supplement shall be paid  
20 by the local social services district.

21 (c) As part of the supplement referenced in this subdivision, when an  
22 eligible recipient, as defined in subdivision three of this section,  
23 incurs separate fuel for heating expenses, the local social services  
24 district shall provide additional funds to cover such expenses, in  
25 excess of the amount already required for shelter costs pursuant to

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

LBD01020-01-1

1 paragraph (a) of this subdivision. Such heating allowance shall be  
2 equivalent to the full amount of fuel for heating expenses, and shall be  
3 made directly to the vendor on behalf of the recipient. Any expenses  
4 incurred by the local social services district that are (i) in excess of  
5 a recipient's fuel for heating allowance authorized pursuant to para-  
6 graph (b) of subdivision two of section one hundred thirty-one-a of this  
7 title; (ii) made pursuant to section ninety-seven of this chapter; or  
8 (iii) to cover any arrears payments made to restore heating services or  
9 to prevent a shut-off, shall not be recoupable.

10 3. Individuals who have been released from incarceration and are not  
11 currently receiving another shelter supplement shall be eligible for the  
12 shelter supplement provided under this section.

13 4. Local social services districts shall provide the shelter supple-  
14 ment required under this section for up to six months. A shelter supple-  
15 ment may be provided for an additional length of time for good cause.

16 5. Employees of a shelter created pursuant to this section shall be  
17 trained regarding overdose prevention and shall provide housing coun-  
18 seling to such eligible individuals.

19 § 2. Section 153 of the social services law is amended by adding a new  
20 subdivision 13 to read as follows:

21 13. Notwithstanding any other provision of law to the contrary, one  
22 hundred percent of costs for shelter supplements including costs for  
23 heating expenses, and home stability support services required by  
24 section one hundred thirty-one-bb of this chapter shall be subject to  
25 reimbursement by the state, as follows:

26 (a) by federal funds that can be properly applied to such expendi-  
27 tures; and

28 (b) the remainder to be paid by state funds.

29 § 3. This act shall take effect on the ninetieth day after it shall  
30 have become a law.