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:

Section 1. Subdivision 1 of section 131-a of the social services law, as amended by section 12 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

1. Any inconsistent provision of this chapter or other law notwithstanding, social services officials shall, in accordance with the provisions of this section and regulations of the department, provide public assistance to needy persons who constitute or are members of a family household, who are determined to be eligible in accordance with standards of need established in subdivision two **of this section**. Provision for such persons, for all items of need, less any available income or resources which are not required to be disregarded by other provisions of this chapter, shall be made in accordance with this section. Such provision shall be made in monthly or semi-monthly allowances and grants within the limits of the schedules included in subdivision three of this section except for additional amounts which shall be included therein for shelter, fuel for heating, **home internet service,** additional cost of meals for persons who are unable to prepare meals at home and for other items for which specific provision is otherwise made in article five **of this chapter**. As used in this section the term "shelter" may include a grant not to exceed two thousand five hundred dollars toward the purchase of an interest in a cooperative. A social services 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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ative housing in accordance with the rules of the board and regulations of the department.

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

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

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

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

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

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

10. Adult care facilities subject to the provisions of this title shall provide residents of such facilities with access to internet-enabled devices and internet service.

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

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

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

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

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

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

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

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

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

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

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