STATE OF NEW YORK

7035

2021-2022 Regular Sessions

IN SENATE

May 25, 2021

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to defining "closed period of eligibility" for purposes of certain supplemental security income and including such time period in the eligibility requirements of such supplemental security income

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

Section 1. Subdivisions 1, 3, and 10 of section 208 of the social services law, as added by chapter 1080 of the laws of 1974, are amended and a new subdivision 13 is added to read as follows:

1. "Supplemental security income benefits" shall mean payments made by the [~~secretary of the federal department of health, education and welfare~~] **commissioner of social security** to aged, blind and disabled persons pursuant to title sixteen of the federal social security act.

3. The "[~~secretary~~] **commissioner**" shall mean the [~~secretary of the federal department of health, education and welfare~~] **commissioner of social security**.

10. An "eligible individual" shall mean a person who is **or was** eligible to receive additional state payments pursuant to section two hundred nine of this title.

13. A "closed period of eligibility" shall refer to a determination of the social security administration that a person was previously eligible for supplemental security income benefits for a period of time in the past, but is no longer eligible at the time such determination is made or at the time the social security administration communicates eligibility to the office of temporary and disability assistance.

§ 2. Paragraph (b) of subdivision 1 of section 209 of the social services law, as added by chapter 1080 of the laws of 1974, is amended to read as follows:

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

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(b) A person who is properly receiving supplemental security income benefits**, or who has been awarded benefits for a closed period of eligibility,** shall be deemed to have met the eligibility criteria contained in subparagraphs (i), (ii) and (iii) of paragraph (a) of this subdivision.

§ 3. This act shall take effect immediately.