

STATE OF NEW YORK

7153

2021-2022 Regular Sessions

IN SENATE

June 3, 2021

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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 Assembly, 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2 111-h of the social services law are REPEALED, subdivisions 18, 19 and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.