STATE OF NEW YORK

7794

IN SENATE

January 11, 2022

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

AN ACT to amend the domestic relations law and the family court act, in relation to establishing a living allowance for adults with developmental disabilities

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

Section 1. Subdivision 5 of section 240-d of the domestic relations law, as added by a chapter of the laws of 2021 amending the domestic relations law and the family court act relating to establishing a living allowance for adults with developmental disabilities, as proposed in legislative bills numbers S. 4467-B and A. 898-B, is amended and a new subdivision 6 is added to read as follows:

5. Except where inconsistent with this section, all provisions of this article relating to orders of child support shall apply to all orders of support for adults with developmental disabilities**; provided, however, that such orders shall not be eligible for services pursuant to section one hundred eleven-g of the social services law**.

6. A determination made pursuant to this section that the person is or is not developmentally disabled, as defined in subdivision twenty-two of section 1.03 of the mental hygiene law, shall not be binding on the state, a local government or the person for any other purpose, including determinations of eligibility for services authorized by the office for people with developmental disabilities.

§ 2. Subdivision 5 of section 413-b of the family court act, as added by a chapter of the laws of 2021 amending the domestic relations law and the family court act relating to establishing a living allowance for adults with developmental disabilities, as proposed in legislative bills numbers S. 4467-B and A. 898-B, is amended and a new subdivision 6 is added to read as follows:

5. Except where inconsistent with this section, all provisions of this article relating to orders of child support shall apply to all orders of support for adults with developmental disabilities**; provided, however,**

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

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that such orders shall not be eligible for services pursuant to section one hundred eleven-g of the social services law.

6. A determination made pursuant to this section that the person is or is not developmentally disabled, as defined in subdivision twenty-two of section 1.03 of the mental hygiene law, shall not be binding on the state, a local government or the person for any other purpose, including determinations of eligibility for services authorized by the office for people with developmental disabilities.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 amending the domestic relations law and the family court act relating to establishing a living allowance for adults with developmental disabilities, as proposed in legislative bills numbers S. 4467-B and A. 898-B, takes effect.