STATE OF NEW YORK

1200

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. EPSTEIN, BURDICK, GALLAGHER, SEAWRIGHT, CRUZ, HEVESI, GIBBS, COOK, OTIS, SANTABARBARA, DeSTEFANO -- read once and referred to the Committee on People with Disabilities

AN ACT to establish the people with disabilities access to programs commission

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

Section 1. 1. (a) There is hereby established a people with disabilities access to programs commission to examine, evaluate and make recommendations for new laws with respect to how the state should streamline eligibility requirements and processes for its programs and services to assist people with disabilities including but not limited to programs overseen by the office for people with developmental disabilities, office of mental health, department of health, ACCES-VR, and the office of children and family services. The commission's report shall be due by December 1, 2024.

(b) The commission shall be comprised of eleven members, five of which shall be appointed by the governor, two of which shall be appointed by the temporary president of the senate, two of which shall be appointed by the speaker of the assembly, one of which shall be appointed by the minority leader of the senate, and one of which shall be appointed by the minority leader of the assembly. The commission shall not be fully constituted without the appointment of the eleventh member. There shall be no chairperson appointed, and the commission shall be governed by a majority vote, and at all times, the commission shall act with a quorum.

2. (a) The commission shall only meet within the state and shall hold at least one hearing at which the public will be afforded an opportunity to provide comments. The commission may hold additional public hearings as it deems necessary. Such additional hearings, if any, may allow for an opportunity to provide public comments.

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

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(b) The members of the commission shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder. Nothing contained herein shall prohibit a member of the commission from receiving his or her salary earned by reason of their state employee position.

(c) No member of the commission shall be disqualified from holding any other public office or public employment, nor shall he or she forfeit any such public office or public employment by reason of his or her appointment pursuant to this section, notwithstanding the provisions of any general, special or local law, regulation, ordinance or city charter.

(d) To the maximum extent feasible and as authorized by law, the commission shall be entitled to request and receive and shall utilize and be provided with such facilities, resources and data of any court, department, division, board, bureau, commission, agency or public authority of the state or any political subdivision thereof as it may reasonably request to properly carry out its powers and duties pursuant to this act. Provided however, any information obtained by the commission shall be kept confidential and shall only be utilized for the purpose of completing their responsibilities as a member of the commission.

(e) The commission may request, and shall receive, reasonable assistance from state agency personnel as is necessary for the performance of its function.

3. The commission shall make a report to the governor and the legislature of its findings, conclusions, determinations and recommendations and shall submit such report by December 1, 2024.

§ 2. This act shall take effect immediately. The commission created by section one of this act shall be dissolved after the report required by such section has been submitted.