

STATE OF NEW YORK

4452--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. GONZALEZ-ROJAS, ROZIC, ANDERSON, ARDILA, MITAYNES, HEVESI, KELLES, EICHENSTEIN, AUBRY, WILLIAMS, KIM, SIMON -- read once and referred to the Committee on Social Services -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to reissuing certain benefits in instances of fraud or theft of such benefits

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

1 Section 1. Section 95 of the social services law is amended by adding
2 a new subdivision 12 to read as follows:

3 12. Notwithstanding any other provision of law to the contrary, the
4 office shall direct social services districts to provide replacement
5 benefits in instances of fraud or theft of supplemental nutrition
6 assistance program benefits equal to the value of benefits stolen on or
7 after January first, two thousand twenty-two within seven days of the
8 date the victim submits a signed statement documenting the theft, using
9 funds from the supplemental nutrition assistance program, as authorized
10 pursuant to Section 501(b)(2) of the Consolidated Appropriations Act of
11 2023, P.L. 117-328, emergency safety net assistance, emergency assist-
12 ance to families, or emergency assistance to adults, as applicable.

13 § 2. Subdivision 1 of section 303 of the social services law is
14 amended by adding a new paragraph (p) to read as follows:

15 (p) In the event of a reported theft of emergency assistance previous-
16 ly issued pursuant to this section or theft of supplemental nutrition
17 assistance program benefits, emergency assistance equal to the value of
18 the stolen benefits shall be provided within seven days of the date the
19 victim submits a signed statement documenting the theft. Where replace-
20 ment benefits have been issued pursuant to this paragraph, the district
21 may require an assignment of any duplicative replacement benefits
22 authorized by and issued pursuant to Section 501(b)(2) of the Consol-

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

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1 idated Appropriations Act of 2023, P.L. 117-328 should such replacement
2 benefits become available at a future time.

3 § 3. Paragraph (e) of subdivision 2 of section 350-j of the social
4 services law, as amended by section 38 of part B of chapter 436 of the
5 laws of 1997, is amended to read as follows:

6 (e) such occurrence or situation could not have been foreseen by the
7 applicant[7] and was not under his or her control [~~and, in the case of a~~
8 ~~person receiving public assistance, did not result from the loss, theft~~
9 ~~or mismanagement of a regular public assistance grant~~]; and

10 § 4. Section 350-j of the social services law is amended by adding a
11 new subdivision 6 to read as follows:

12 6. In instances of fraud or theft of benefits occurring on or after
13 January first, two thousand twenty-two, emergency assistance to needy
14 families with children benefits shall be issued in an amount equal to
15 the value of stolen family assistance, emergency assistance to needy
16 families, pandemic electronic benefit transfer benefits, or supplemental
17 nutrition assistance program benefits within seven days of the date the
18 victim submits a signed statement documenting the theft. Where replace-
19 ment benefits are being issued pursuant to this subdivision, the
20 district may reduce the amount designated to replace stolen supplemental
21 nutrition assistance program benefits by any previously or contemporane-
22 ously received benefits authorized by and issued pursuant to Section
23 501(b)(2) of the Consolidated Appropriations Act of 2023, P.L. 117-328.
24 Where replacement benefits are issued pursuant to this subdivision to
25 replace stolen supplemental nutrition assistance program benefits, the
26 district may require an assignment of any duplicative replacement bene-
27 fits authorized by and issued pursuant to Section 501(b)(2) of the
28 Consolidated Appropriations Act of 2023, P.L. 117-328 should such
29 replacement benefits become available at a future time.

30 § 5. Section 159 of the social services law is amended by adding a new
31 subdivision 13 to read as follows:

32 13. Notwithstanding any other provision of law to the contrary, in
33 instances of fraud or theft of benefits that occur on or after January
34 first, two thousand twenty-two, the victim of such fraud or theft shall
35 be provided emergency assistance benefits equal to the value of the
36 stolen safety net assistance, emergency safety net assistance, pandemic
37 electronic benefit transfer benefits, or supplemental nutrition assist-
38 ance program benefits within seven days of the date the victim submits a
39 signed statement documenting the theft. Where replacement benefits are
40 being issued pursuant to this subdivision, the district may reduce the
41 amount designated to replace stolen supplemental nutrition assistance
42 program benefits by any previously or contemporaneously received bene-
43 fits authorized by and issued pursuant to Section 501(b)(2) of the
44 Consolidated Appropriations Act of 2023, P.L. 117-328. Where replacement
45 benefits are issued pursuant to this subdivision to replace stolen
46 supplemental nutrition assistance program benefits, the district may
47 require an assignment of any duplicative replacement benefits authorized
48 by and issued pursuant to Section 501(b)(2) of the Consolidated Appro-
49 riations Act of 2023, P.L. 117-328 should such replacement benefits
50 become available at a future time.

51 § 6. This act shall take effect immediately.