

# STATE OF NEW YORK

4956

2023-2024 Regular Sessions

## IN ASSEMBLY

February 27, 2023

Introduced by M. of A. SOLAGES, SIMON, WALLACE, OTIS -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing an emergency heating energy assistance program benefit

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

1 Section 1. The social services law is amended by adding a new section  
2 98 to read as follows:

3 § 98. Emergency heating energy assistance program benefit. 1. Defi-  
4 nitions. For the purposes of this section, the following terms shall  
5 have the following meanings:

6 (a) "Commissioner" shall mean the commissioner of the office of tempo-  
7 rary and disability assistance.

8 (b) "HEAP" shall mean the low-income home energy assistance program,  
9 as described in section ninety-seven of this title and required by title  
10 26 of the federal omnibus budget reconciliation act of 1981.

11 2. The commissioner shall establish a state program to provide an  
12 emergency home energy assistance program benefit to households eligible  
13 for a low-income home energy assistance program where such household is  
14 threatened with shut-off or an energy emergency due to nonpayment.

15 3. To be eligible for a benefit pursuant to this section, the appli-  
16 cant shall document that he or she:

17 (a) receives a regular HEAP benefit which is insufficient or unavail-  
18 able to ameliorate the emergency; and

19 (b) (i) is currently without heating fuel; or

20 (ii) has a heating fuel supply that will last less than seven calendar  
21 days; or

22 (iii) has had heat-related utility service disconnected; or

23 (iv) has heat-related utility service currently eligible for discon-  
24 nection; or

25 (v) is experiencing an energy emergency due to:

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

LBD01615-01-3

1 (1) having heat-related utility service arrears more than sixty days  
2 in arrears; or

3 (2) having outstanding heat-related utility service arrears in excess  
4 of three hundred dollars.

5 4. For purposes of the annual HEAP state plan, and subject to the  
6 availability of federal funds, a social services district may authorize  
7 one or more household payments per program year in an amount which coin-  
8 cides with the emergency benefits matrix developed annually by the  
9 department of public service for the current program year.

10 § 2. This act shall take effect on the thirtieth day after it shall  
11 have become a law. Effective immediately, the addition, amendment and/or  
12 repeal of any rule or regulation necessary for the implementation of  
13 this act on its effective date are authorized to be made and completed  
14 on or before such effective date.