# STATE OF NEW YORK

8431--A

2023-2024 Regular Sessions

# IN ASSEMBLY

December 29, 2023

Introduced by M. of A. DAVILA, MAHER, TAYLOR, SIMPSON, LUPARDO, PEOPLES-STOKES, GOODELL, DILAN -- read once and referred to the Committee on Social Services -- recommitted to the Committee on Social Services in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means

AN ACT establishing a fiscal cliff task force to conduct a study on fiscal cliffs in the state's public assistance programs and to make recommendations related thereto; and providing for the repeal of such provision upon expiration thereof

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

Section 1. (a) There is hereby established a fiscal cliff task force to study fiscal cliffs in the state's public assistance programs and make recommendations on how to reduce and eliminate such fiscal cliffs. For the purposes of this section, the term "fiscal cliff" shall mean a sudden decrease in public benefits that can occur with a small increase in earnings.

(b) (i) The task force shall consist of nineteen members, each to serve for a term ending December 31, 2026. Such members shall be appointed as follows: two members shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; two members shall be appointed by the speaker of the assembly; one member shall be appointed by the minority leader of the assembly; five members shall be appointed by the governor; three local social services district commissioners or their designees having relevant experience in administering public benefits shall be appointed by the governor, of which one district shall have five million or more inhabitants; the commissioner of the office of temporary and disability assistance or his or her designee; the commissioner of health or his or

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

LBD10565-08-4

her designee; the commissioner of taxation and finance or his or her designee; the commissioner of the department of labor or his or her designee; the commissioner of the office of children and family services or his or her designee. Appointments shall be made within sixty days of the effective date of this section. Vacancies in the task force shall be filled in the manner provided for original appointments.

(ii) All appointments shall be coordinated to ensure geographic representation from the entire state.

(iii) The task force shall elect a chair, vice-chair, and other necessary officers from among all appointed members.

(iv) A majority of the members of the task force then in office shall constitute a quorum for the transaction of business or the exercise of any power or function of the task force. An act, determination or decision of the majority of the members present during the presence of a quorum shall be held to be the act, determination, or decision of the task force.

(v) The task force shall meet at least quarterly at the call of the chair. Meetings may be held via teleconference. Special meetings may be called by the chair at the request of a majority of the members of the task force.

(vi) Members of the task force shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties in the work of the task force.

(c) The task force shall:

(i) conduct a study on the fiscal cliffs in the state. Such study shall include, but not be limited to: public assistance programs; the supplemental nutrition assistance program (SNAP); the home energy assistance program (HEAP); housing assistance; the child care tax credit and other tax credits; the school tax relief program (STAR) and other real property tax credits and reductions; Medicaid; NY state of health, the official health plan marketplace; child care subsidies tied to income; cash benefits; effective tax rates; and any other program or service provided by the state or any political subdivision thereof which is tied to income;

(ii) study the causes and reasons why fiscal cliffs occur to individuals on public benefits, including but not limited to, the impact of current public assistance programs monetary allotments, asset tests, asset limits, and income disregards, as well as how minimum wage and other earnings may impact those receiving public benefits; and

(iii) recommend ways to reduce and/or eliminate fiscal cliffs including, but not limited to, recommending program and policy modifications, amendments to the law, including but not limited to possible changes in calculating and paying the earned income tax credit or other tax credits, changes to the New York codes, rules and regulations, and any other recommendation the task force deems appropriate.

(d) The task force may, as it deems appropriate, request that studies, surveys, or analyses relating to the task force's powers and duties be performed by any state department, commission, agency or public authority. All state departments, commissions, agencies or public authorities shall provide information and advice in a timely manner and otherwise assist the task force with its work.

(e) The office of temporary and disability assistance shall provide staff services to the task force and such other administrative assistance as may be necessary for the task force to carry out its duties, functions and powers.

(f) The task force shall make a preliminary report to the governor and the legislature of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than January 1, 2026, and a final report of its findings, conclusions, recommendations and activities already undertaken by the task force, not later than September 1, 2026 and shall submit with its reports legislative proposals as it deems necessary to implement its recommendations.

§ 2. This act shall take effect immediately and shall expire three years after it shall have become a law when upon such date the provisions of this act shall be deemed repealed.