STATE OF NEW YORK

9372

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to the payment of shelter and rent arrears

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

Section 1. The social services law is amended by adding a new section 131-ww to read as follows:

§ 131-ww. Shelter arrears. 1. All shelter arrears payments authorized for applicants to receive an emergency grant to pay for rent, property taxes or mortgage arrears shall be limited to a total period of six months once every year unless the district determines at its discretion that additional shelter arrears payments are necessary based on the individual circumstances.

2. In an application for an allowance to pay shelter arrears, an applicant shall not be required to demonstrate an ability to repay shelter expenses, rent, property taxes, or mortgage payments going forward, nor shall a district consider an applicant's ability to make payments under any repayment agreement.

3. Unrepaid shelter expenses shall have no bearing on an applicant's eligibility to receive additional loans.

4. The commissioner shall promulgate regulations consistent with this section.

§ 2. Section 131-w of the social services law, as added by chapter 41 of the laws of 1992, is amended to read as follows:

§ 131-w. Limitations in the payment of rent arrears. Districts shall not provide assistance to pay rent arrears, property taxes or mortgage arrears for persons not eligible for home relief, aid to dependent children, emergency assistance to needy families with children or emergency assistance for aged, blind and disabled persons, except to persons who are without income or resources immediately available to meet the emergency need[~~,~~] **and** whose gross household income does not exceed [~~one hundred twenty-five~~] **two hundred** percent of the federal income official poverty line [~~and who sign a repayment agreement agreeing to repay the~~

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

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~~assistance in a period not to exceed twelve months. The districts shall enforce the repayment agreements by any legal method available to a creditor, in addition to any rights it has pursuant to this chapter~~]. The department shall promulgate regulations to implement this section which shall, among other things, [~~establish standards for the contents of repayment agreements and~~] establish standards to ensure that assistance is provided only in emergency circumstances.

§ 3. Subdivision 1 of section 131-r of the social services law, as added by chapter 81 of the laws of 1995 and as designated by chapter 340 of the laws of 2003, is amended to read as follows:

1. Any person who is receiving or has received, within the previous [~~ten~~] **five** years, public assistance pursuant to the provisions of this article, and who wins a lottery prize of [~~six hundred~~] **twenty thousand** dollars or more shall reimburse the department from the winnings, for all such public assistance benefits paid to such person during the previous [~~ten~~] **five** years; provided, however, that such crediting to the department shall in no event exceed fifty percent of the amount of the lottery prize. The commissioner shall enter into an agreement with the director of the lottery, pursuant to section sixteen hundred thirteen-b of the tax law, for the crediting of lottery prizes against public assistance benefits. Nothing herein shall limit the ability of a social services district to make recoveries pursuant to section [~~104~~] **one hundred four** or section [~~106-b~~] **one hundred six-b** of this chapter.

§ 4. This act shall take effect immediately.