

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 Assem-
bly, do enact as follows:

1 Section 1. The social services law is amended by adding a new section
2 131-ww to read as follows:

3 § 131-ww. Shelter arrears. 1. All shelter arrears payments authorized
4 for applicants to receive an emergency grant to pay for rent, property
5 taxes or mortgage arrears shall be limited to a total period of six
6 months once every year unless the district determines at its discretion
7 that additional shelter arrears payments are necessary based on the
8 individual circumstances.

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

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

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

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

20 § 131-w. Limitations in the payment of rent arrears. Districts shall
21 not provide assistance to pay rent arrears, property taxes or mortgage
22 arrears for persons not eligible for home relief, aid to dependent chil-
23 dren, emergency assistance to needy families with children or emergency
24 assistance for aged, blind and disabled persons, except to persons who
25 are without income or resources immediately available to meet the emer-
26 gency need[-] and whose gross household income does not exceed [~~one~~
27 ~~hundred twenty-five~~] two hundred percent of the federal income official
28 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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1 ~~assistance in a period not to exceed twelve months. The districts shall~~
2 ~~enforce the repayment agreements by any legal method available to a~~
3 ~~creditor, in addition to any rights it has pursuant to this chapter].~~

4 The department shall promulgate regulations to implement this section
5 which shall, among other things, [~~establish standards for the contents~~
6 ~~of repayment agreements and~~] establish standards to ensure that assist-
7 ance is provided only in emergency circumstances.

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

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

24 § 4. This act shall take effect immediately.