STATE OF NEW YORK

7009

2023-2024 Regular Sessions

IN SENATE

May 16, 2023

Introduced by Sens. ROLISON, WEBER, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to prohibiting hotels and homeless shelters from displacing vulnerable persons in favor of non-United States citizens or non-lawful permanent residents of the United States

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 44-a to read as follows:

§ 44-a. Displacement of vulnerable persons. 1. Definitions. As used in this section:

(a) "Hotel" shall mean a building or portion of a building which is regularly used and kept open as such for the lodging of guests and shall include an apartment hotel, a motel, boarding house or club, whether or not meals are served.

(b) "Homeless shelter" shall mean a specific facility operated or funded by a not-for-profit corporation, charitable organization, wholly owned subsidiary of a not-for-profit corporation or of a charitable organization, public corporation or municipality for the availability of housing for homeless persons, which may include other non-housing services including but not limited to dining, recreational, sanitary, social, medical and mental health services.

(c) "Vulnerable person" shall mean a United States citizen or a lawful permanent resident of the United States that is one or more of the following:

(i) a veteran who served on active duty in the uniformed services of the United States, or in the army national guard, air national guard, or service as a commissioned officer in the public health service, commissioned officer of the national oceanic and atmospheric administration or

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

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environmental sciences services administration, cadet at a United States armed forces service academy, and who has been released from such service under other than dishonorable conditions;

(ii) a person under the age of eighteen years old or over the age of sixty-five years old;

(iii) a person with a physical or mental disability;

(iv) a victim of domestic violence;

(v) a pregnant woman; or

(vi) a parent or guardian with a minor child and whose income of such parent or guardian is below the poverty level.

2. No hotel or homeless shelter shall displace a vulnerable person who resides in such hotel or homeless shelter as his or her primary residence, whether such residence is permanent or temporary, for the purpose of housing a non-United States citizen or non-lawful permanent resident of the United States.

3. Nothing in this section shall prohibit a hotel from displacing a vulnerable person for failure to pay a rate of charges for lodging or other services provided by the hotel.

4. No hotel shall increase the rate of charges for lodging for a vulnerable person due to the potential or promise of a higher rate of charges to lodge a non-United States citizen or non-lawful permanent resident of the United States.

5. (a) A hotel or homeless shelter that violates subdivision two of this section may be fined up to one thousand dollars per violation.

(b) A hotel that violates subdivision four of this section may be fined up to five hundred dollars per day the hotel is in violation.

§ 2. This act shall take effect immediately.