

STATE OF NEW YORK

1389

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT to amend the social services law, in relation to applications for public assistance and to repeal certain provisions of such law relating thereto

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

1 Section 1. Subdivision 8 of section 153 of the social services law is
2 REPEALED.

3 § 2. Section 131 of the social services law is amended by adding a new
4 subdivision 21 to read as follows:

5 21. The decision of the local social services district to accept or
6 deny an application for public assistance shall be made as soon as
7 possible, but no later than thirty days after the date of the applica-
8 tion, except where the applicant requests additional time or where
9 difficulties in verification lead to unusual delay or other reasons
10 beyond the control of the local social services official.

11 § 3. Paragraph (b) of subdivision 5 of section 22 of the social
12 services law, as amended by chapter 41 of the laws of 1992, is amended
13 to read as follows:

14 (b) Failure to act upon any application [~~within~~] as soon as possible
15 but no later than thirty days after filing [~~, except applications for~~
16 ~~home relief~~], or failure to comply with laws and regulations requiring
17 that priority be given to certain applications for assistance [~~, or fail-~~
18 ~~ure to act on any application for home relief within forty-five days~~
19 ~~after filing~~].

20 § 4. Subdivision 13 of section 131-a of the social services law, as
21 added by chapter 477 of the laws of 2000, is amended to read as follows:

22 13. Pursuant to regulations of the office of temporary and disability
23 assistance, public assistance eligibility shall, to the extent permitted
24 by federal law, not lapse solely by reason of the death of the adult

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

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1 relative caretaker of a minor child, until arrangements are completed
2 for the addition of the child to another public assistance household,
3 reclassification of the case, foster care or other appropriate financial
4 support. [~~For purposes of subdivision eight of section one hundred~~
5 ~~fifty-three of this article, safety net assistance given to such a child~~
6 ~~during the first forty five days after application therefor shall be~~
7 ~~regarded as being given to meet emergency circumstances.~~]

8 § 5. Subdivision 4 of section 158 of the social services law, as
9 amended by section 1 of part U of chapter 56 of the laws of 2022, is
10 amended to read as follows:

11 4. Social services officials shall determine eligibility for safety
12 net assistance [~~within~~ as soon as possible, but no later than thirty
13 days after the date of receiving an application for safety net assist-
14 ance. Such officials shall notify applicants of safety net assistance
15 about the availability of assistance to meet emergency circumstances or
16 to prevent eviction.

17 § 6. This act shall take effect immediately.