STATE OF NEW YORK

2359

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

Introduced by M. of A. CLARK, DARLING, GONZALEZ-ROJAS, EPSTEIN, SEPTIMO, DeSTEFANO, SIMON, SIMONE -- read once and referred to the Committee on People with Disabilities

AN ACT to amend the mental hygiene law, in relation to prohibiting the withholding of state funding for service providers for people with developmental disabilities due to the receipt of COVID-19 federal funds

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

Section 1. The mental hygiene law is amended by adding a new section 16.38 to read as follows:

§ 16.38 Funding for services of the office for people with developmental disabilities not affected by the receipt of certain COVID-19 federal funds.

A holder of an operating certificate issued pursuant to this article or organization whose incorporation or activities require the approval of the commissioner, or program funded or administered by the office shall not have any state funding withheld as a result of the receipt of federal funds that were provided to such operating certificate holder, organization or program:

(a) as part of any federal paycheck protection program loan forgiveness funding;

(b) as a result of federal emergency management agency emergency protective measures, including but not limited to personal protective equipment and cleaning services;

(c) as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020;

(d) as part of the Families First Coronavirus Response Act, American Rescue Plan Act of 2021; or

(e) as other extraordinary federal funding provided in response to the COVID-19 pandemic.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 13, 2020.

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

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