STATE OF NEW YORK

8612

IN ASSEMBLY

January 12, 2024

Introduced by M. of A. SOLAGES, SIMON, WALLACE, OTIS, ARDILA, LUPARDO -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing an emergency heating energy assistance program benefit

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 98 to read as follows:

§ 98. Emergency heating energy assistance program benefit. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Commissioner" shall mean the commissioner of the office of temporary and disability assistance.

(b) "HEAP" shall mean the low-income home energy assistance program, as described in section ninety-seven of this title and required by title 26 of the federal omnibus budget reconciliation act of 1981.

2. The commissioner shall establish a state program to provide an emergency home energy assistance program benefit to households eligible for a low-income home energy assistance program where such household is threatened with shut-off or an energy emergency due to nonpayment.

3. To be eligible for a benefit pursuant to this section, the applicant shall document that he or she:

(a) receives a regular HEAP benefit which is insufficient or unavailable to ameliorate the emergency; and

(b) (i) is currently without heating fuel; or

(ii) has a heating fuel supply that will last less than seven calendar days; or

(iii) has had heat-related utility service disconnected; or

(iv) has heat-related utility service currently eligible for disconnection; or

(v) is experiencing an energy emergency due to:

(1) having heat-related utility service arrears more than sixty days in arrears; or

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

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(2) having outstanding heat-related utility service arrears in excess of three hundred dollars.

4. For purposes of the annual HEAP state plan, and subject to the availability of federal funds, a social services district may authorize one or more household payments per program year in an amount which coincides with the emergency benefits matrix developed annually by the department of public service for the current program year.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.