STATE OF NEW YORK

2839

2023-2024 Regular Sessions

IN SENATE

January 25, 2023

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, the general municipal law, and the public authorities law, in relation to providing eligibility for state or local public benefits regardless of immigration status

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

Section 1. The executive law is amended by adding a new section 170-g to read as follows:

§ 170-g. Eligibility for state or local public benefits regardless of immigration status. A state agency may, at its discretion, provide state or local public benefits, as defined by the federal personal responsibility and work opportunity reconciliation act 8 U.S.C. 1621 or any successor provision, to persons who, but for such federal law restricting eligibility for such benefits based on immigration status, would be otherwise eligible for such benefits from such agency. For the purposes of this section, a "state agency" shall mean any department, bureau, commission, board, division, office, or agency of the state.

§ 2. The general municipal law is amended by adding a new section 99-h-1 to read as follows:

§ 99-h-1. Eligibility for state or local benefits regardless of immigration status. A municipal corporation may, at its discretion, provide state or local public benefits, as defined by the federal personal responsibility and work opportunity reconciliation act 8 U.S.C. 1621 or any successor provision, to persons who, but for such federal law restricting eligibility for such benefits based on immigration status, would be otherwise eligible for such benefits from such municipal corporation. For purposes of this section, a "municipal corporation" shall mean a county, city, town, village, school district, or board of cooperative educational services of this state or a board of higher education in a city having a population of one million or more.

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

LBD01998-01-3

§ 3. Article 9 of the public authorities law is amended by adding a new title 13 to read as follows:

TITLE 13

STATE OR LOCAL PUBLIC BENEFITS

Section 2988. Eligibility for state or local public benefits regardless of immigration status.

§ 2988. Eligibility for state or local public benefits regardless of immigration status. A state authority or local authority may, at its discretion, provide state or local public benefits, as defined by the federal personal responsibility and work opportunity reconciliation act 8 U.S.C. 1621 or any successor provision, to persons who, but for such federal law restricting eligibility for such benefits based on immigration status, would be otherwise eligible for such benefits from such state or local authority.

§ 4. This act shall take effect immediately.