

# STATE OF NEW YORK

3489

2025-2026 Regular Sessions

## IN ASSEMBLY

January 28, 2025

Introduced by M. of A. GONZALEZ-ROJAS, ROZIC, HEVESI, WILLIAMS, ANDERSON, EICHENSTEIN, KIM, MITAYNES, KELLES, SIMON, SEAWRIGHT, TAPIA, FORREST -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to reissuing certain benefits in instances of fraud or theft of such benefits

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

1 Section 1. Section 95 of the social services law is amended by adding  
2 a new subdivision 12 to read as follows:

3 12. Notwithstanding any other provision of law to the contrary, the  
4 office shall direct social services districts to provide replacement  
5 benefits in instances of fraud or theft of supplemental nutrition  
6 assistance program benefits equal to the value of benefits stolen on or  
7 after January first, two thousand twenty-four within seven days of the  
8 date the victim submits a signed statement documenting the theft, using  
9 funds from the supplemental nutrition assistance program, as authorized  
10 pursuant to Section 501(b)(2) of the Consolidated Appropriations Act of  
11 2023, P.L. 117-328, emergency safety net assistance, emergency assist-  
12 ance to families, or emergency assistance to adults, as applicable.

13 § 2. Subdivision 1 of section 303 of the social services law is  
14 amended by adding a new paragraph (p) to read as follows:

15 (p) In the event of a reported theft of emergency assistance previous-  
16 ly issued pursuant to this section or theft of supplemental nutrition  
17 assistance program benefits, emergency assistance equal to the value of  
18 the stolen benefits shall be provided within seven days of the date the  
19 victim submits a signed statement documenting the theft. Where replace-  
20 ment benefits have been issued pursuant to this paragraph, the district  
21 may require an assignment of any duplicative replacement benefits  
22 authorized by and issued pursuant to Section 501(b)(2) of the Consol-  
23 idated Appropriations Act of 2023, P.L. 117-328 should such replacement  
24 benefits become available at a future time.

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

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1 § 3. Paragraph (e) of subdivision 2 of section 350-j of the social  
2 services law, as amended by section 38 of part B of chapter 436 of the  
3 laws of 1997, is amended to read as follows:

4 (e) such occurrence or situation could not have been foreseen by the  
5 applicant[~~r~~] ~~and~~ was not under [~~his or her~~] the applicant's control  
6 [~~and, in the case of a person receiving public assistance, did not~~  
7 ~~result from the loss, theft or mismanagement of a regular public assist-~~  
8 ~~ance grant~~]; and

9 § 4. Section 350-j of the social services law is amended by adding a  
10 new subdivision 6 to read as follows:

11 6. In instances of fraud or theft of benefits occurring on or after  
12 January first, two thousand twenty-four, emergency assistance to needy  
13 families with children benefits shall be issued in an amount equal to  
14 the value of stolen family assistance, emergency assistance to needy  
15 families, pandemic electronic benefit transfer benefits, or supplemental  
16 nutrition assistance program benefits within seven days of the date the  
17 victim submits a signed statement documenting the theft. Where replace-  
18 ment benefits are being issued pursuant to this subdivision, the  
19 district may reduce the amount designated to replace stolen supplemental  
20 nutrition assistance program benefits by any previously or contemporane-  
21 ously received benefits authorized by and issued pursuant to Section  
22 501(b)(2) of the Consolidated Appropriations Act of 2023, P.L. 117-328.  
23 Where replacement benefits are issued pursuant to this subdivision to  
24 replace stolen supplemental nutrition assistance program benefits, the  
25 district may require an assignment of any duplicative replacement bene-  
26 fits authorized by and issued pursuant to Section 501(b)(2) of the  
27 Consolidated Appropriations Act of 2023, P.L. 117-328 should such  
28 replacement benefits become available at a future time.

29 § 5. Section 159 of the social services law is amended by adding a new  
30 subdivision 13 to read as follows:

31 13. Notwithstanding any other provision of law to the contrary, in  
32 instances of fraud or theft of benefits that occur on or after January  
33 first, two thousand twenty-four, the victim of such fraud or theft shall  
34 be provided emergency assistance benefits equal to the value of the  
35 stolen safety net assistance, emergency safety net assistance, pandemic  
36 electronic benefit transfer benefits, or supplemental nutrition assist-  
37 ance program benefits within seven days of the date the victim submits a  
38 signed statement documenting the theft. Where replacement benefits are  
39 being issued pursuant to this subdivision, the district may reduce the  
40 amount designated to replace stolen supplemental nutrition assistance  
41 program benefits by any previously or contemporaneously received bene-  
42 fits authorized by and issued pursuant to Section 501(b)(2) of the  
43 Consolidated Appropriations Act of 2023, P.L. 117-328. Where replacement  
44 benefits are issued pursuant to this subdivision to replace stolen  
45 supplemental nutrition assistance program benefits, the district may  
46 require an assignment of any duplicative replacement benefits authorized  
47 by and issued pursuant to Section 501(b)(2) of the Consolidated Appro-  
48 riations Act of 2023, P.L. 117-328 should such replacement benefits  
49 become available at a future time.

50 § 6. This act shall take effect immediately.