

STATE OF NEW YORK

8836

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

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

AN ACT to amend the social services law, in relation to establishing a healthy birth grant demonstration program; and to amend the social services law, the tax law, the real property tax law, the administrative code of the city of New York, the domestic relations law and the family court act, in relation to the exclusion of healthy birth grants from income for certain purposes

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 367-z to read as follows:

§ 367-z. Healthy birth grant demonstration program. 1. Healthy birth grant disbursement. (a) The commissioner shall seek a waiver from the federal department of health and human services pursuant to section eleven hundred fifteen of the federal social security act, or any successor provisions thereof, in order to establish the healthy birth grant program provided for in this section. On and after the effective date of this section, such program shall disburse a grant of one thousand eight hundred dollars per child to all households with new parents receiving medical assistance under this title during the third trimester of the pregnancy of such child. In the event that multiple individuals in a household meet the definition of "new parent" as provided in paragraph (b) of this subdivision, however, only one grant of one thousand eight hundred dollars shall be disbursed for such household. In the event that a pregnant individual is deemed presumptively eligible for medical assistance under subdivision six of section three hundred sixty-four-i of this title and receives perinatal care after the third trimester, such pregnant individual shall receive such birth grant at the time that such individual is determined to be actually eligible for such assistance under section three hundred sixty-six of this title.

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

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(b) For the purposes of this section, "new parents" shall mean all legal parents or guardians who meet the eligibility requirements for medical assistance under section three hundred sixty-six of this title, whether such individual is the biological parent of the child to be born, an adoptive parent under section one hundred nine of the domestic relations law, an intended parent under section 581-102 of the family court act, or an individual who has been awarded physical custody of a child under article five-a of the domestic relations law.

2. Coordination with other benefits. (a) Notwithstanding any provision of law to the contrary, the healthy birth grant provided in this section shall not be considered income, assets or resources for the purposes of determining eligibility for public benefits or assistance, or the amount or extent of such benefits or assistance, under any state or local program.

(b) The commissioner may enter into cooperative agreements with local social services districts in order that such districts may administer the disbursement of the healthy birth grants provided in subdivision one of this section where deemed necessary and appropriate by such commissioner. Such agreements shall be crafted with the goal of ensuring that recipients of a healthy birth grant are made aware of and enrolled in all public benefits and assistance provided under this title or another applicable area of state, federal or local law, code, rule, regulation or ordinance and to ensure a smooth coordination of benefits and assistance between such healthy birth grant and such other benefits and assistance.

(c) If a waiver under section eleven hundred fifteen of the federal social security act is granted for the purposes of the healthy birth grant demonstration program provided for in this section, the commissioner shall then seek agreements with all applicable federal agencies and/or entities to ensure that such grant shall not be considered income, assets or resources for the purposes of determining eligibility for public benefits or assistance, or the amount or extent of such benefits or assistance, under federal programs.

3. Impact on income tax. Notwithstanding any provision of law to the contrary, no grant paid pursuant to this section shall be subject to state or local income tax.

§ 2. Subsection (c) of section 612 of the tax law is amended by adding a new paragraph 48 to read as follows:

(48) For taxable years beginning on or after the effective date of this paragraph, healthy birth grants disbursed under section three hundred sixty-seven-z of the social services law.

§ 3. Paragraph (a) of subdivision 2 of section 366 of the social services law is amended by adding a new subparagraph 7-a to read as follows:

(7-a) healthy birth grants established by section three hundred sixty-seven-z of this title;

§ 4. Paragraph (a) of subdivision 8 of section 131-a of the social services law is amended by adding a new subparagraph (xiv) to read as follows:

(xiv) any financial assistance received from a healthy birth grant as provided in section three hundred sixty-seven-z of this article.

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

12. The value of a healthy birth grant provided under section three hundred sixty-seven-z of this chapter to an eligible individual shall

1 not be considered by the office to be income or resources for purposes
2 of eligibility for the SNAP benefits provided for under this section.

3 § 6. Section 97 of the social services law is amended by adding a new
4 subdivision 6 to read as follows:

5 6. The amount of any healthy birth grant provided under section three
6 hundred sixty-seven-z of this chapter to an eligible household shall not
7 be considered income or resources of such household, or any member ther-
8 eof, for purposes of the low-income home energy assistance program
9 provided for under this section. The department shall update its regu-
10 lations regarding such program to effectuate the provisions of this
11 subdivision.

12 § 7. Subdivision 2 of section 209 of the social services law is
13 amended by adding a new paragraph (g) to read as follows:

14 (g) A healthy birth grant received by an eligible person under section
15 three hundred sixty-seven-z of this article shall not count towards the
16 standard of monthly need provided in this subdivision when determining
17 eligibility for and the amount of additional state payments.

18 § 8. Subparagraph (iv) of paragraph (a) of subdivision 3 of section
19 467 of the real property tax law is amended by adding a new clause 3-a
20 to read as follows:

21 (3-a) any healthy birth grants disbursed under section three hundred
22 sixty-seven-z of the social services law shall not be considered income;

23 § 9. Clause 1 of subparagraph (v) of paragraph (a) of subdivision 3 of
24 section 467 of the real property tax law, as amended by chapter 592 of
25 the laws of 2024, is amended to read as follows:

26 (1) Except as provided in clause two of this subparagraph, the term
27 "income" as used in this section shall mean the "adjusted gross income"
28 for federal income tax purposes as reported on the applicant's federal
29 or state income tax return for the most recent income tax year or years
30 for which data is sufficiently available to determine the applicant's
31 eligibility for exemptions pursuant to this section, subject to any
32 subsequent amendments or revisions, minus any distributions, to the
33 extent included in federal adjusted gross income, received from an indi-
34 vidual retirement account and an individual retirement annuity; provided
35 that healthy birth grants disbursed under section three hundred sixty-
36 seven-z of the social services law shall not be considered income; and
37 provided further that if no such return was filed for such income tax
38 year, the applicant's income shall be determined based on the amounts
39 that would have so been reported if such a return had been filed; and

40 § 10. Paragraph c of subdivision 1 of section 467-b of the real prop-
41 erty tax law is amended by adding a new subparagraph (iii) to read as
42 follows:

43 (iii) provided further that a healthy birth grant received under
44 section three hundred sixty-seven-z of the social services law shall not
45 be considered income under this paragraph;

46 § 11. Clause (vi) of subparagraph 1 of paragraph f of subdivision 1 of
47 section 467-c of the real property tax law, as amended by chapter 276 of
48 the laws of 2023, is amended and a new clause (vii) is added to read as
49 follows:

50 (vi) When the eligible head of the household has retired on or after
51 the commencement of the taxable period and prior to the date of making
52 an application for a rent increase exemption order/tax abatement certif-
53 icate pursuant to this section, such person's income shall be adjusted
54 by excluding salary or earnings and projecting such person's retirement
55 income over the entire taxable period; ~~[or]~~ and

1 (vii) provided further that a healthy birth grant received under
2 section three hundred sixty-seven-z of the social services law shall not
3 be considered income under this subparagraph; or

4 § 12. Paragraph (a) of subdivision 5 of section 459-c of the real
5 property tax law is amended by adding a new subparagraph (vi) to read as
6 follows:

7 (vi) Under no circumstances, however, may a municipal corporation
8 consider a healthy birth grant provided under section three hundred
9 sixty-seven-z of the social services law to be income for the purposes
10 of this paragraph.

11 § 13. Subparagraph (ii) of paragraph (b) of subdivision 4 of section
12 425 of the real property tax law, as amended by section 4 of part 0 of
13 chapter 59 of the laws of 2025, is amended to read as follows:

14 (ii) The term "income" as used herein shall mean the "adjusted gross
15 income" for federal income tax purposes as reported on the applicant's
16 federal or state income tax return for the applicable income tax year,
17 subject to any subsequent amendments or revisions, reduced by distrib-
18 utions, to the extent included in federal adjusted gross income,
19 received from an individual retirement account and an individual retire-
20 ment annuity; provided that if no such return was filed for the applica-
21 ble income tax year, "income" shall mean the amount that would have been
22 so reported if such a return had been filed. In no circumstance shall
23 income include a healthy birth grant provided under section three
24 hundred sixty-seven-z of the social services law. Provided further,
25 that:

26 (A) Effective with exemption applications for final assessment rolls
27 to be completed in two thousand nineteen, where an income-eligibility
28 determination is wholly or partly based upon the income of one or more
29 individuals who did not file a return for the applicable income tax
30 year, then in order for the application to be considered complete, each
31 such individual must file a statement with the department showing the
32 source or sources of such individual's income for that income tax year,
33 and the amount or amounts thereof, that would have been reported on such
34 a return if one had been filed. Such statement shall be filed at such
35 time, and in such form and manner, as may be prescribed by the depart-
36 ment, and shall be subject to the secrecy provisions of the tax law to
37 the same extent that a personal income tax return would be. The depart-
38 ment shall make such forms and instructions available for the filing of
39 such statements. The local assessor shall upon the request of a taxpayer
40 assist such taxpayer in the filing of the statement with the department.

41 (B) Notwithstanding the foregoing provisions of this subparagraph,
42 where property is owned solely by a person or persons who received the
43 exemption for three consecutive years without having filed returns for
44 the applicable income tax years, but who demonstrated their eligibility
45 for the exemption to the commissioner's satisfaction by filing state-
46 ments pursuant to clause (A) of this subparagraph, such person or
47 persons shall be presumed to satisfy the applicable income-eligibility
48 requirements each year thereafter and shall not be required to continue
49 to file such statements in the absence of a specific request therefor
50 from the commissioner. Nothing contained herein shall be construed to
51 prevent the commissioner from denying an exemption pursuant to this
52 section when the commissioner determines that a property owner has a
53 source of income that renders that owner ineligible for that exemption.

54 § 14. Paragraph (a) of subdivision 3 of section 11-245.3 of the admin-
55 istrative code of the city of New York, as amended by local law number

1 140 of the city of New York for the year 2017, is amended to read as
2 follows:

3 (a) if the income of the owner or the combined income of the owners of
4 the property exceeds the sum of twenty-six thousand dollars beginning
5 July first, two thousand six, twenty-seven thousand dollars beginning
6 July first, two thousand seven, twenty-eight thousand dollars beginning
7 July first, two thousand eight, twenty-nine thousand dollars beginning
8 July first, two thousand nine, and fifty thousand dollars beginning July
9 first, two thousand seventeen for the income tax year immediately
10 preceding the date of making application for exemption. Income tax year
11 shall mean the twelve month period for which the owner or owners filed a
12 federal personal income tax return, or if no such return is filed, the
13 calendar year. Where title is vested in either the husband or the wife,
14 their combined income may not exceed such sum, except where the husband
15 or wife, or ex-husband or ex-wife is absent from the property as
16 provided in subparagraph (ii) of paragraph (d) of this subdivision, then
17 only the income of the spouse or ex-spouse residing on the property
18 shall be considered and may not exceed such sum. Such income shall
19 include social security and retirement benefits, interest, dividends,
20 total gain from the sale or exchange of a capital asset which may be
21 offset by a loss from the sale or exchange of a capital asset in the
22 same income tax year, net rental income, salary or earnings, and net
23 income from self-employment, but shall not include gifts, inheritances,
24 a return of capital, payments made to individuals because of their
25 status as victims of Nazi persecution as defined in P.L. 103-286, monies
26 earned through employment in the federal foster grandparent program,
27 ~~and~~ veterans disability compensation as defined in title 38 of the
28 United States Code, and healthy birth grants disbursed under section
29 three hundred sixty-seven-z of the social services law, and any such
30 income shall be offset by all medical and prescription drug expenses
31 actually paid which were not reimbursed or paid for by insurance. In
32 computing net rental income and net income from self-employment no
33 depreciation deduction shall be allowed for the exhaustion, wear and
34 tear of real or personal property held for the production of income;

35 § 15. Paragraph (a) of subdivision 3 of section 11-245.4 of the admin-
36 istrative code of the city of New York, as amended by local law number
37 140 of the city of New York for the year 2017, is amended to read as
38 follows:

39 (a) if the income of the owner or the combined income of the owners of
40 the property for the income tax year immediately preceding the date of
41 making application for exemption exceeds the sum of twenty-six thousand
42 dollars beginning July first, two thousand six, twenty-seven thousand
43 dollars beginning July first, two thousand seven, twenty-eight thousand
44 dollars beginning July first, two thousand eight, twenty-nine thousand
45 dollars beginning July first, two thousand nine, and fifty thousand
46 dollars beginning July first, two thousand seventeen. Income tax year
47 shall mean the twelve month period for which the owner or owners filed a
48 federal personal income tax return, or if no such return is filed, the
49 calendar year. Where title is vested in either the husband or the wife,
50 their combined income may not exceed such sum, except where the husband
51 or wife, or ex-husband or ex-wife is absent from the property due to
52 divorce, legal separation or abandonment, then only the income of the
53 spouse or ex-spouse residing on the property shall be considered and may
54 not exceed such sum. Such income shall include social security and
55 retirement benefits, interest, dividends, total gain from the sale or
56 exchange of a capital asset which may be offset by a loss from the sale

1 or exchange of a capital asset in the same income tax year, net rental
2 income, salary or earnings, and net income from self-employment, but
3 shall not include a return of capital, gifts, inheritances [~~or~~]. monies
4 earned through employment in the federal foster grandparent program, or
5 healthy birth grants disbursed under section three hundred sixty-seven-z
6 of the social services law, and any such income shall be offset by all
7 medical and prescription drug expenses actually paid which were not
8 reimbursed or paid for by insurance. In computing net rental income and
9 net income from self-employment no depreciation deduction shall be
10 allowed for the exhaustion, wear and tear of real or personal property
11 held for the production of income;

12 § 16. Subparagraph 4 of paragraph b of subdivision 5-a of part B of
13 section 236 of the domestic relations law, as amended by chapter 269 of
14 the laws of 2015, is amended to read as follows:

15 (4) "Income" shall mean income as defined in the child support stand-
16 ards act and codified in section two hundred forty of this article and
17 section four hundred thirteen of the family court act without subtract-
18 ing alimony or maintenance actually paid or to be paid to a spouse that
19 is a party to the instant action pursuant to subclause (C) of clause
20 (vii) of subparagraph five of paragraph (b) of subdivision one-b of
21 section two hundred forty of this article and subclause (C) of clause
22 (vii) of subparagraph five of paragraph (b) of subdivision one of
23 section four hundred thirteen of the family court act and without
24 subtracting spousal support paid pursuant to section four hundred twelve
25 of such act. In no circumstance shall income include healthy birth
26 grants disbursed under section three hundred sixty-seven-z of the social
27 services law, however.

28 § 17. The opening paragraph of subparagraph 5 of paragraph (b) of
29 subdivision 1-b of section 240 of the domestic relations law, as added
30 by chapter 567 of the laws of 1989, is amended to read as follows:

31 "Income" shall mean, but shall not be limited to, the sum of the
32 amounts determined by the application of clauses (i), (ii), (iii), (iv),
33 (v) and (vi) of this subparagraph reduced by the amount determined by
34 the application of clause (vii) of this subparagraph, provided that in
35 no instance shall a healthy birth grant provided under section three
36 hundred sixty-seven-z of the social services law be considered income:

37 § 18. The opening paragraph of subparagraph 5 of paragraph (b) of
38 subdivision 1 of section 413 of the family court act, as amended by
39 chapter 567 of the laws of 1989, is amended to read as follows:

40 "Income" shall mean, but shall not be limited to, the sum of the
41 amounts determined by the application of clauses (i), (ii), (iii), (iv),
42 (v) and (vi) of this subparagraph reduced by the amount determined by
43 the application of clause (vii) of this subparagraph, provided that in
44 no instance shall a healthy birth grant provided under section three
45 hundred sixty-seven-z of the social services law be considered income:

46 § 19. Section 410-w of the social services law is amended by adding a
47 new subdivision 7-a to read as follows:

48 7-a. For purposes of determining financial eligibility under this
49 title, a healthy birth grant provided under section three hundred
50 sixty-seven-z of this chapter shall be disregarded when determining the
51 eligibility of a household for a child care subsidy.

52 § 20. This act shall take effect on the one hundred eightieth day
53 after the granting of a waiver from the federal department of health and
54 human services under section 1115 of the federal social security act or
55 any successor provisions thereof; provided that the state commissioner
56 of social services shall notify the legislative bill drafting commission

1 upon the occurrence of the granting of such a waiver by the federal
2 department of health and human services provided for in section one of
3 this act in order that the commission may maintain an accurate and time-
4 ly effective data base of the official text of the laws of the state of
5 New York in furtherance of effectuating the provisions of section 44 of
6 the legislative law and section 70-b of the public officers law. Effec-
7 tive immediately, the addition, amendment and/or repeal of any rule or
8 regulation necessary for the implementation of this act on its effective
9 date are authorized to be made and completed on or before such effective
10 date.