STATE OF NEW YORK

5059

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law and the correction law, in relation to assistance programs for individuals being released from correctional facilities

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

Section 1. Subdivision 4 of section 158 of the social services law, as amended by section 1 of part U of chapter 56 of the laws of 2022, is amended to read as follows:

4. **(a)** Social services officials shall determine eligibility for safety net assistance within thirty days of receiving an application for safety net assistance. Such officials shall notify applicants of safety net assistance about the availability of assistance to meet emergency circumstances or to prevent eviction.

(b) Within seventy-two hours from when the state board of parole approves the residence of a person that the department of corrections and community supervision is set to release, the correctional facility's benefits navigator shall complete such person's application for safety net assistance. For the purposes of this paragraph, the term "correctional facility" shall have the same meaning as defined by section two of the correction law.

§ 2. Subdivision 2 of section 112 of the correction law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

2. The commissioner shall have the management and control of persons released on community supervision and of all matters relating to such persons' effective reentry into the community, as well as all contracts and fiscal concerns thereof. The commissioner shall have the power and it shall be [~~his or her~~] **the commissioner's** duty to inquire into all matters connected with said community supervision. The commissioner shall make such rules and regulations, not in conflict with the statutes of this state, for the governance of the officers and other employees of the department assigned to said community supervision, and in regard to the duties to be performed by them, as [~~he or she~~] **the commissioner**

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

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deems proper and shall cause such rules and regulations to be furnished to each employee assigned to perform community supervision. The commissioner shall also prescribe a system of accounts and records to be kept, which shall be uniform. The commissioner shall also make rules and regulations for a record of photographs and other means of identifying each incarcerated individual released to community supervision. The commissioner shall appoint officers and other employees of the department who are assigned to perform community supervision. **Where applicable, a correctional facility shall provide each person with applications for public assistance, supplemental nutrition assistance program (SNAP) under section ninety-five of the social services law, special supplemental nutrition program for women, infants, and children (WIC) under 42 USC § 1786, and the home energy assistance program (HEAP) as administered by the office of temporary and disability assistance, in accordance with section one hundred fifty-eight of the social services law, 42 USC § 1383 and section two hundred nine of the social services law. Benefits navigators shall provide assistance in completing such applications. Each correctional facility shall ensure every incarcerated individual whose residence has been approved has an individual assigned to them in applying for safety net programs in accordance with paragraph (b) of subdivision four of section one hundred fifty-eight of the social services law. The department may contract with not-for-profit providers with experience assisting individuals with benefits applications.**

§ 3. The correction law is amended by adding a new section 500-q to read as follows:

§ 500-q. Re-entry services. Each incarcerated individual shall be eligible to apply for re-entry services, which shall include, but not limited to safety net assistance, supplemental security income and state supplemental payments prior to their earliest expected release date in accordance with section one hundred fifty-eight of the social services law, 42 USC § 1383 and section two hundred nine of the social services law, respectively. The offender rehabilitation coordinator or other person in charge of re-entry services at a local correctional facility shall provide assistance in completing and filing such applications and may contract with not-for-profit providers with experience assisting individuals during the application and appeals processes for such benefits to provide incarcerated individuals with assistance in completing applications for such benefits. Each correctional facility shall be required to report to the executive, the temporary president of the senate and the speaker of the assembly on how they are providing such re-entry services. Such reporting shall include metrics on the following:

(a) how many people were deemed eligible for at least one type of benefit, disaggregated by type of benefit;

(b) for how many people were applications submitted, disaggregated by type of benefit;

(c) for any people deemed eligible but for whom applications were not submitted, disaggregated by demographic; and

(d) the reason that such applications were not filed, disaggregated by type of benefit and by reason.

§ 4. This act shall take effect on the first of January next succeeding the date upon which 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.