*** § 131-n. Exemption of income and resources.** 1. The following resources shall be exempt and disregarded in calculating the amount of benefits of any household under any public assistance program: (a) cash and liquid or nonliquid resources up to two thousand five hundred dollars for applicants, three thousand seven hundred fifty dollars for applicants in households in which any member is sixty years of age or older or is disabled or ten thousand dollars for recipients, (b) an amount up to four thousand six hundred fifty dollars in a separate bank account established by an individual while currently in receipt of assistance for the sole purpose of enabling the individual to purchase a first or replacement vehicle for the recipient to seek, obtain or maintain employment, so long as the funds are not used for any other purpose, (c) an amount up to one thousand four hundred dollars in a separate bank account established by an individual while currently in receipt of assistance for the purpose of paying tuition at a two-year or four-year accredited post-secondary educational institution, so long as the funds are not used for any other purpose, (d) the home which is the usual residence of the household, (e) one automobile, up to ten thousand dollars fair market value, through March thirty-first, two thousand seventeen; one automobile, up to eleven thousand dollars fair market value, from April first, two thousand seventeen through March thirty-first, two thousand eighteen; and one automobile, up to twelve thousand dollars fair market value, beginning April first, two thousand eighteen and thereafter, or such other higher dollar value as the local social services district may elect to adopt, (f) one burial plot per household member as defined in department regulations, (g) bona fide funeral agreements up to a total of one thousand five hundred dollars in equity value per household member, (h) funds in an individual development account established in accordance with subdivision five of section three hundred fifty-eight of this chapter and section four hundred three of the social security act, (i) for a period of six months, real property which the household is making a good faith effort to sell, in accordance with department regulations and tangible personal property necessary for business or for employment purposes in accordance with department regulations, and (j) funds in a qualified tuition program that satisfies the requirement of section 529 of the Internal Revenue Code of 1986, as amended, and (k) funds in a New York achieving

a better life experience savings account established in accordance with article eighty-four of the mental hygiene law.

If federal law or regulations require the exemption or disregard of additional income and resources in determining need for family assistance, or medical assistance not exempted or disregarded pursuant to any other provision of this chapter, the department may, by regulations subject to the approval of the director of the budget, require social services officials to exempt or disregard such income and resources. Refunds resulting from earned income tax credits shall be disregarded in public assistance programs.

2. If and to the extent permitted by federal law and regulations, amounts received under section 105 of Public Law 100-383 as reparation payments for internment of Japanese-Americans and payments made to individuals because of their status as victims of Nazi persecution as defined in P.L. 103-286 shall be exempt from consideration as income or resources for purposes of determining eligibility for and the amount of benefits under any program provided under the authority of this chapter and under title XX of the Social Security Act.

3. The department is authorized to establish regulations defining income and resources. The department is further authorized to promulgate regulations it deems necessary to prevent the improper establishment and use of accounts for purchase of first or replacement vehicles.

* NB Effective until August 22, 2027

* § 131-n. Additional exemption of income and resources pursuant to federal law and regulations. 1. If federal law or regulations require, as a condition of qualifying for federal financial participation, the exemption or disregard of income and resources in determining need for aid to dependent children, or medical assistance not exempted or disregarded pursuant to any other provision of this chapter, the department may, by regulations subject to the approval of the director of the budget, require social services officials to exempt or disregard such income and resources. Such exemptions and disregards shall be limited solely to income resulting from increases in social security benefits authorized by Public Law 92-336, and refunds required to be

disregarded in federally aided programs by Public Law 94-164 for months prior to July first, nineteen hundred seventy-six, or any other federal law extending the requirement that refunds resulting from earned income tax credits be disregarded in federally aided programs.

2. If and to the extent permitted by federal law and regulations, amounts received under section 105 of Public Law 100-383 as reparation payments for internment of Japanese-Americans and payments made to individuals because of their status as victims of Nazi persecution as defined in P.L. 103-286 shall be exempt from consideration as income or resources for purposes of determining eligibility for and the amount of benefits under any program provided under the authority of this article and under title XX of the Social Security Act; provided, however, that such treatment shall be applied in the home relief program only to the extent that it is permitted under federal law in the program of aid to dependent children.

* NB Effective August 22, 2027