§ 131-s. Payments made for utility service for recipients of public assistance benefits, supplemental security income benefits or additional state payments. 1. In the case of a person applying for public assistance, supplemental security income benefits or additional state payments pursuant to this chapter, the social services official of the social services district in which such person resides shall, unless alternative payment or living arrangements can be made, make a payment to a gas corporation, electric corporation or municipality for services provided to such person during a period of up to, but not exceeding, four months immediately preceding the month of application for such assistance or benefits if such payment is needed to prevent shut-off or to restore service. Persons whose gross household income exceeds the public assistance standard of need for the same size household must sign a repayment agreement to repay the assistance within two years of the date of payment as a condition of receiving assistance, in accordance with regulations established by the department. Such repayment agreement may be enforced in any manner available to a creditor, in addition to any rights the district may have pursuant to this chapter.

2. In the case of a person receiving public assistance, supplemental security income benefits or additional state payments pursuant to this chapter, the social services official of the social services district in which such person resides shall, unless alternative payment or living arrangements can be made, make a payment to a gas corporation, electric corporation or municipality for services provided to such person for the most recent four months in which service was rendered prior to the application for a utility payment pursuant to this section, provided that no such payment shall be made for services rendered more than ten months prior to the application for such a payment, and provided further that:

(a) such person does not have any funds to pay for such service and such payment is needed to prevent termination or to restore service and such person has fully applied his public assistance grant, if any, to purposes intended to be included in such grant, or

(b) such person in receipt of public assistance has made a written request of such official for an advance allowance for utility services already received pursuant to department regulations and has also made a

written request that his monthly assistance grant be reduced by a portion of the amount of the advanced allowance, in such amounts as not to cause undue hardship. Such payment shall be in addition to any direct payment or any guarantee of payment for utility service for the month for which timely payment may still be made. In no event may any part of such payment subject to recoupment be made unless the social services official first determines under the particular circumstances that the recipient is not entitled, at the time of requesting such payment, to a grant pursuant to titles one, three, eight or ten of this article or any other provision of this chapter which could be utilized to cover all or a portion to be advanced. If during the period of recoupment, the recipient becomes entitled to a grant, pursuant to titles one, three, eight or ten of this article or any other provision of this chapter, which could be utilized to cover all or a portion of the amount to be recovered, such grant shall be so utilized.

3. If and for so long as a person who has received a grant pursuant to subdivision two of this section continues to receive public assistance benefits, supplemental security income benefits or additional state payments, the social services official shall, to the extent authorized by applicable provisions of this chapter and regulations promulgated thereto, either:

(a) make payments directly to the gas corporation, electric corporation or municipality for utility services furnished to such person during a period in which such person has been determined unable to manage his own financial affairs; or

(b) act as guarantor of payment for the month in which the social services official is advised of the nonpayment and for such period of time thereafter as may be established by department regulations to the extent that such person fails to pay for utility services provided during any such month. Such guarantee of payment provided by the social services official shall not extend for a period exceeding two years for any person receiving public assistance, supplemental security income benefits or additional state payments.

(c) Payments made for recipients of public assistance pursuant to this subdivision shall be deemed to be advance allowances subject to recoupment in accordance with department regulations. In no event may

any part of such payment subject to recoupment be made unless the social services official first determines under the particular circumstances that the recipient is not entitled, at the time of requesting such payment, to a grant pursuant to titles one, three, eight or ten of this article or any other provision of this chapter which could be utilized to cover all or a portion to be advanced. If during the period of recoupment, the recipient becomes entitled to a grant, pursuant to titles one, three, eight or ten of this article or any other provision of this chapter, which could be utilized to cover all or a portion of the amount to be recovered, such grant shall be so utilized.

(d) Whenever a public assistance recipient, for whom a guarantee of payment has been provided pursuant to this subdivision, ceases to receive public assistance, the social services official shall notify the gas corporation, electric corporation or municipality of the cessation date in writing within fifteen days of such occurrence. In the case of a recipient of supplemental security income benefits, the social services official shall make such notification within fifteen days after receiving official notice that the recipient's benefits have ceased. The original terms and conditions of any guarantee made pursuant to this subdivision shall remain in full force and effect only until the end of any month in which the required notice is given.

4. The department shall establish by regulation the manner in which a person receiving public assistance, supplemental security income benefits or additional state payments pursuant to this chapter shall advise the appropriate social services official that payment for utility services furnished such person has not been made.

5. The social services official shall not make payments pursuant to this section with respect to any disputed amounts for utility service furnished for which a complaint has been filed with the gas corporation, electric corporation or municipality and no determination has been rendered by the gas corporation, electric corporation or municipality or for which a complaint has been filed with the public service commission and no determination has been made except to the extent payments are required by the commission or its staff pending resolution of the dispute by the commission. For purposes of applying the limitation on

payments pursuant to subdivision two of this section in any case in which such a complaint has been filed with the public service commission, the date of any application made pursuant to this section shall be deemed to be the date on which the complaint was filed, provided such application is made no later than thirty days from the date of resolution by the public service commission.

6. All monies owed the gas corporation, electric corporation or municipality by such person in excess of such payment as made by the social services official pursuant to this section while such person is in receipt of public assistance, supplemental security income benefits or additional state payments pursuant to this chapter may be reduced to a judgment, but shall be exempt from collection for so long as such person continues to receive or would become in need of public assistance, supplemental security income benefits or additional state payments if the collection was made. The claim of the gas corporation, electric corporation or municipality shall in all other respects remain unaffected.