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OFFICE: Legal Affairs

TO: Commissioners of  
 Social Services

DATE: November 05, 1999

SUBJECT: Digest of Laws of 1999 Relating to Programs of the  
 Office of Temporary and Disability Assistance

SUGGESTED

DISTRIBUTION: General Administration Staff  
 Family Court Judges  
 Staff Development Coordinators

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ATTACHMENTS: Digest of Laws (Available on-line)

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FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
97 INF-18					
96 INF-29					
95 INF-45					
94 INF-46					
93 INF-49					
92 INF-53					
91 INF-17					

DIGEST OF LAWS OF 1999  
RELATING TO PROGRAMS OF THE OFFICE  
OF TEMPORARY AND DISABILITY ASSISTANCE

NOTICE

The purpose of this Digest is to highlight provisions of the Laws of 1999 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be used as a substitute for the law itself nor is it intended to be considered as the Office's interpretation of these laws for the purposes of implementation.

DEPARTMENT OF FAMILY ASSISTANCE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
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ALBANY, NEW YORK 12243

TABLE OF CONTENTS

Laws of 1999                      Page in  
Chapter No.                      this Digest

TEMPORARY ASSISTANCE

20	4
201	4
389	4
391	5
407	5
513	5
514	6

CHILD SUPPORT

139	7
140	7
533	7

STATUTES AFFECTED: PAGE 8

SUBJECT INDEX: PAGE 9

TEMPORARY ASSISTANCE

Chapter 20 - Eligibility for Child Assistance  
[Assembly 7165 by Assemblyman Ramirez]

Provides that persons eligible for both the Child Assistance Program and the Medical Assistance Program (MA) who lose eligibility for MA solely due to increased earnings or loss of earned income disregards will remain eligible for MA until March 31, 2000.

Statutes involved:

Social Services Law  
Section 131-z, subd. 6, amended

Effective date: March 31, 1999

Chapter 201 - Standard of Monthly Need, Personal Needs Allowance  
[Senate 5837 by Senator Meier, at the request of the Office  
of Temporary and Disability Assistance]

Increases the standards of monthly need for determining eligibility and payment of federal Supplemental Security Income (SSI) and additional State payments to the aged, blind and disabled to reflect SSI benefit increases that may result from any cost-of-living adjustment occurring between January 1, 2000 and June 30, 2000 and makes corresponding changes to personal allowances provided to residents of congregate care facilities.

Statutes involved:

Social Services Law  
Section 131-o, subd. 1, paras. (a), (b), (c) and (d), amended  
Section 209, subd. 2, paras. (a), (b), (c), (d), (e), (f) and (g),  
amended  
Section 210, subd. 1, amended

Effective date: December 31, 1999

Chapter 389 - Automobile Exemptions  
[Senate 5850 by Senator Meier, et al.]

Increases in certain circumstances the value of an automobile that a recipient of public assistance can own without affecting the recipient's eligibility for public assistance. Specifically, the Chapter provides that if the automobile is needed to enable the recipient to seek or retain employment or to travel to or from work activities, the automobile's value can be up to twice the value of an automobile that can be exempted from consideration in determining eligibility for food stamps, or a higher amount as determined by the social services district.

Statutes involved:

Social Services Law  
Section 131-n, subd. 1, amended

Effective date: July 27, 1999

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Chapter 391 - Child Care Subsidies  
[Assembly 996-B by Assemblywoman Jacobs, et al.]

Requires social services districts to provide child care subsidies to working public assistance applicants and recipients who, although eligible for public assistance, elect to receive only child care subsidies. The Chapter also provides that recipients of child care subsidies who are no longer eligible for public assistance are eligible for transitional child care.

Statutes involved:

Social Services Law

Section 410-w, subd. 1, para. (b), amended

Section 410-w, subd. 3, amended

Section 410-w, subd. 4, added

Effective date: January 23, 2000

Chapter 407 - Earned Income Tax Credits  
[Senate 6110 by the Committee on Rules]

Authorizes the Department of Taxation and Finance to furnish to the Office of Temporary and Disability Assistance information relating to the payment of the earned income tax credit to the extent necessary for the Office to calculate qualified State expenditures or to document the proper expenditure of federal temporary assistance for needy families funds.

Statutes involved:

Tax Law

Section 697, subsect. (e), para. 3, amended

Effective date: August 9, 1999

Chapter 513 - Family Loan Programs  
[Senate 5848 by Senator Meier, et al.]

Requires the Department of Labor, in consultation with the Office of Temporary and Disability Assistance, to establish up to four new family loan programs. Such programs provide administrative startup monies for not-for-profit organizations or local governments to administer revolving loan funds. The funds are provided to custodial parents with income below 200 percent of the federal poverty level and who are working or enrolled in a post-secondary education program to aid in covering the costs of unexpected expenses that could interfere with their ability to maintain employment or continue their education.

Statutes involved:

Social Services Law

Section 131-i, subd. 4, added

Effective date: September 28, 1999

Chapter 514 - Additional State Payments for Persons in Rockland County  
[Senate 5863 by Senator Morahan]

Adds Rockland County to a list of municipalities in residents of family care homes and residential care facilities are paid a higher level of State supplementation of federal Supplemental Security Income benefits than residents elsewhere in the State.

Statutes involved:

Social Services Law  
Section 209, subd. 2, paras. (c) and (d), amended

Effective date: January 1, 2000

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CHILD SUPPORT

Chapter 139 - Enforcement of Child Support Orders  
[Assembly 7698 by Assemblywoman Weinstein, et al.]

Extends from June 30, 1999 until June 30, 2001 the expiration date of the authority for the referral to the Department of Taxation and Finance for enforcement of non-payment of child support.

Statutes involved:

Social Services Law  
Section 111-b, subd. 16, para. (b), amended

Laws 1996, Chapter 706, sect. 5, amended

Effective date: June 29, 1999

Chapter 140 - Drivers' Licenses Suspension  
[Assembly 7699 by Assemblywoman Weinstein, et al.]

Extends from June 30, 1999 until June 30, 2001 the expiration date of the authority for the administrative suspension of drivers' licenses for non-payment of child support.

Statutes involved:

Laws 1995, Chapter 81, sect. 246, subd. 19, amended

Effective date: June 29, 1999

Chapter 533 - Support Orders  
[Assembly 7708 by Assemblywoman Weinstein]

Provides that modifications of a child support order issued in another state may be made only as authorized by the Uniform Interstate Family Support Act; corrects statutory cross-references found in various sections of the Family Court Act (FCA); conforms genetic testing language contained in the FCA to amendments made by Chapter 398 of the Laws of 1997; and provides that a medical execution for child support cases not receiving services under Title IV-D of the Social Security Act must be in the form of a separate qualified medical support order.

Statutes involved:

Family Court Act  
Section 171-a, repealed  
Section 451, amended  
Section 455, subds. 2 and 5, amended  
Section 511, amended  
Section 519, subd. (c), amended  
Section 527, subd. (a), amended  
Section 528, amended

Civil Practice Laws and Rules:  
Section 5241, subd. (b), para. 2, subpara. (i), amended

Effective date: September 28, 1999

STATUTES AFFECTED

	<u>LAWS OF 1999</u> <u>CHAPTER NO.</u>	<u>PAGE IN THIS</u> <u>DIGEST</u>
Civil Practice Law and Rules		
Section 5241, subd. (b), para. 2 subpara. (i), amended	533	7
Family Court Act		
Section 171-a, repealed	533	7
Section 451, amended	533	7
Section 455, subds. 2 and 5, amended	533	7
Section 511, amended	533	7
Section 519, subd. (c), amended	533	7
Section 527, subd. (a), amended	533	7
Section 528, amended	533	7
Social Services Law		
Section 111-b, subd. 16, para. (b) amended	139	7
Section 131-n, subd. 1, amended	389	4
Section 131-i, subd. 4, added	513	5
Section 131-o, subd. 1, paras. (a), (b), (c) and (d), amended	201	4
Section 131-z, subd. 6, amended	20	4
Section 209, subd. 2, paras. (a), (b), (c), (d), (e), (f) and (g), amended	201	4
Section 209, subd. 2, paras. (c) and (d), amended	514	6
Section 210, subd. 1, amended	201	4
Section 410-w, subd. 1, para. (b), amended	391	5
Section 410-w, subd. 3, amended	391	5
Section 410-w, subd. 4, added	391	5
Tax Law		
Section 697, subsect. (e), para. 3, amended	407	5
Unconsolidated Laws		
Laws 1995, Chapter 81, sect. 246, subd. 19, amended	140	7
Laws 1996, Chapter 706, sect. 5, amended	139	7



SUBJECT INDEX

	<u>Laws of 1999</u> <u>Chapter No.</u>	<u>Page in</u> <u>this Digest</u>
<u>A</u>		
Additional State payments, cost of living increase	201	4
Additional State payments, Rockland County	514	5
Automobile exemption, public assistance, eligibility	389	4
<u>C</u>		
Child assistance program, eligibility	20	4
Child care subsidies, public assistance applicants and recipients	391	5
Child support, Department of Taxation and Finance, referral	139	7
Child support, driver's license, suspension	140	7
Cost of living increase, additional State payments	201	4
<u>D</u>		
Department of Taxation and Finance, referrals, child support enforcement	139	7
Driver's license suspension, child support enforcement	140	7
<u>E</u>		
Earned income tax credit information	407	5
Eligibility, public assistance, automobile, exemption	389	4
<u>F</u>		
Family loan programs	513	5
<u>G</u>		
Genetic testing	533	7
<u>M</u>		
Medical support	533	7
Modification of child support orders	533	7
<u>P</u>		
Personal needs allowance, standard of monthly need	201	4