

**DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243**

**DIGEST OF LAWS OF 2015
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 2015 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be exhaustive or 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.

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PUBLIC ASSISTANCE

Chapter 5 – Relates to Services for Inmates of State Correctional Facilities

[S.1315/A.858]

Amends the Correction Law and provides for notice, by the Commissioner of Correctional Services, of availability of medical, educational, and other services, including alcohol and substance abuse treatment, to prisoners upon their releases from State prisons, and requires the Commissioner of Correctional Services to consult with the Commissioner of the Office of Temporary and Disability Assistance, among other commissioners, in the implementation of notice of transitional services for inmates released from correctional facilities, and, where appropriate, to assist an inmate in contacting a program or service provider prior to such inmate's release.

Statutes involved:

Correction Law § 76 (as added by Chapter 506 of the Laws of 2014), amended

Effective date: April 16, 2015

Chapter 187 – Extends the Income and Resources Exemptions Provisions

[S.4830/A.7192]

Extends the income and resources exemptions provisions of Social Services Law § 131-n from August 22, 2015 to August 22, 2017.

Statutes involved:

Chapter 436 of the Laws of 1997, Part B, § 153(c), amended

Effective date: August 13, 2015

Chapter 562 – Amends Conciliation Procedures Relative to Public Assistance Employment Programs in New York City

[S.3596/A.4250]

Amends the Social Services Law to amend notice requirements, conciliation procedures, and sanctions in cases when the recipient of public assistance programs refuses to comply with employment program requirements in New York City.

Statutes involved:

Social Services Law
§ 341(7), added
§ 341-a, added
§ 342(6), added
§ 342-a, added

Effective date: December 18, 2015

**Chapter 584 – Relates to Victims of Domestic Violence and Their Service Animals
or Therapy Dogs**
[S.5372/A.6626]

Authorizes service animals or therapy dogs to accompany victims of domestic violence at residential programs.

Statutes involved:

Social Services Law § 459-b, amended

Effective date: December 28, 2015

CHILD SUPPORT

Chapter 29 – Extends the Drivers’ License Suspension Process
[S.5750-A/A.7193-A]

Extends the provisions authorizing the administrative suspension of driving privileges as a result of the non-payment of support from June 30, 2015 to August 31, 2017.

Statutes involved:

Chapter 81 of the Laws of 1995, § 246 (19), amended

Effective date: June 30, 2015

**Chapter 269 – Relates to the Durations and Amounts of Maintenance
and Spousal Support**
[S.5678/A.7645]

Amends the Domestic Relations Law and the Family Court Act in relation to enacting

new guidelines for temporary and post-divorce maintenance and spousal support.

Statutes involved:

Domestic Relations Law
§ 236, Part B(1)(a), amended
§ 236, Part B(5)(d)(7), amended
§ 236, Part B(5-a), amended
§ 236, Part B(6), amended
§ 236, Part B(9)(b)(1), amended
§ 248, amended

Family Court Act § 412, amended

Effective dates: October 25, 2015 (§ 3, which applies to temporary maintenance and to matrimonial actions commenced on or after such date); January 23, 2016 (balance of the chapter law)

Chapter 347 — Repeals and Reenacts the Uniform Interstate Family Support Act (UIFSA)

[S.5685-B/A.7636-B]

Among other things, amends Article 5-B of the Family Court Act to adopt the UIFSA 2008 amendments and amends § 111-i of the Social Services Law to align the timing of the adjustment of the combined parental income amount with the adjustment of the poverty income guidelines amount for a single person (“poverty level”) and the self-support reserve. Through adoption of the UIFSA 2008 amendments, Chapter 347 also integrates or enables appropriate provisions of the 2007 Family Maintenance Convention, clarifies issues regarding controlling order determinations, telephonic testimony, duration of support orders, redirection of payments, and choice of law considerations, and ensures compliance with federal requirements and the Title IV-D State Plan.

Statutes involved:

Family Court Act Art. 5-B, repealed and new Art. 5-B, added

Social Services Law § 111-i(2)(b), amended

Effective dates: December 24, 2015 (§ 1); January 1, 2016 (§ 2)

Chapter 387 — Relates to Spousal Maintenance and Child Support in Supreme and Family Courts

[S.5691/A.7637]

Amends the Family Court Act and Domestic Relations Law by requiring that alimony or spousal maintenance actually paid to a spouse who is a party to an action must be added to the recipient spouse's income, provided that the court order contains an automatic adjustment to take effect upon the termination of the maintenance award, and clarifies that, where spousal maintenance payments are deducted from the payor's income, the court order must contain a specific provision adjusting the child support amount automatically upon the termination of the spousal maintenance award.

Statutes involved:

Domestic Relations Law
§ 240(1-b)(b)(5)(iii)(G)—(H), amended
§ 240(1-b)(b)(5)(iii)(I), added
§ 240(1-b)(b)(5)(vii)(C), amended

Family Court Act
§ 413(1)(b)(5)(iii)(G)—(H), amended
§ 413(1)(b)(5)(iii)(I), added
§ 413(1)(b)(5)(vii)(C), amended

Effective date: January 24, 2016

ADMINISTRATION

Chapter 82 — Relates to the Sale and Conveyance of Certain Lands in the Borough of Manhattan, County of New York to be Used for Specific Purposes and Programs

[S.4192/A.989]

Authorizes the Commissioner of the Office of General Services to sell and convey certain lands in the borough of Manhattan, County of New York to be used for, among other things, social services programs.

Statutes involved:

Chapter 82 of the Laws of 2015

Effective date: July 23, 2015

Chapter 519 — Authorizes Broadcasting of Open Meetings of an Agency or Department

[S.76-A/A.1233-A]

Authorizes broadcasting of open meetings of an agency or department, and relates to real-time streaming on such agency's or department's website.

Statutes involved:

Public Officers Law § 103(f), added

Effective date: January 10, 2016

Chapter 548 – Relates to the Determination of Eligibility for Payment of Interest on Amounts Owed to Contractors
[S.4929/A.7579]

Amends the State Finance Law by eliminating the exemption from the 30-day prompt contracting interest penalties due to an insufficient cash balance in the fund or sub-fund to finance a payment.

Statutes involved:

State Finance Law § 179-f(2), amended

Effective date: December 11, 2015, and applies to invoices submitted on and after that date.

Chapter 566 – Authorizes Enterprise Fraud Prevention and Detection System by Comptroller to Develop and Implement Techniques and Technologies to Detect and Prevent Fraud
[S.3757/A.5056]

Authorizes an enterprise approach to the fraud prevention and detection system by the State Comptroller to develop and implement techniques and technologies to detect and prevent fraud, waste, and abuse in State government and for the detection and prevention of improper payments of public monies.

Statutes involved:

Public Authorities Law § 2803, amended

State Finance Law § 8-c, added

Effective date: April 19, 2016

Chapter 568 – Requires State Agencies to Pay Small Businesses Within 15 days of Receipt of an Invoice
[S.5283-A/A.6902-B]

Amends State Finance Law to require payment to be made to small businesses within 15 calendar days, excluding legal holidays, of receipt of an invoice from a small business. Defines “small business” as “a business whose primary place of business is in New York [S]tate, has a significant business presence in the [S]tate, is independently owned and operated, not dominant in its field, and employs no more than [300] employees.”

Statutes involved:

State Finance Law
§ 179-f(2)–(3), amended
§ 179-f(6), added

Effective date: June 18, 2016

SHELTER

Chapter 273 – Relates to the Rehabilitation of Certain Multiple Dwellings Used for Single-Room Occupancy
[S.5935/A.8239]

Amends the Real Property Tax Law to extend the date by which not-for-profit and for-profit owners rehabilitating single-room occupancy housing are eligible to receive tax benefits from December 31, 2015 to December 31, 2019.

Statutes involved:

Real Property Tax Law
§ 488-a(2), amended
§ 488-a(3)(i), amended

Effective date: September 25, 2015

Chapter 366 – Prohibits Housing Discrimination Against Victims of Domestic Violence
[S.5/A.6354-B]

Relates to prohibiting housing discrimination against victims of domestic violence, as well as creation of a task force to study the impact of income on housing as well as Section 8 and other housing policies.

Statutes involved:

Real Property Actions and Proceedings Law § 744, added

Real Property Law § 227-d, added

Effective date: January 19, 2016

Chapter 482 – Relates to Reporting on Efforts to Prevent, Identify, and Address Homelessness

[S.4343-A/A.3181-A]

Requires the Commissioner of the Office of Temporary and Disability Assistance to submit a report detailing local social services districts' efforts to prevent, identify, and address homelessness.

Statutes involved:

Social Services Law § 17(d-1), added

Effective date: November 20, 2015, and shall expire and be deemed repealed January 1, 2017.

Chapter 553 – Relates to Determining the Rent Increase Exemption Amount for Individuals in New York City

[S.5721-A/A.7914-A]

Amends the Real Property Tax Law and the Administrative Code of the City of New York, in relation to the tax abatement and exemption of rental units occupied in part by certain persons aged 62 and older or persons with disabilities. The law references monthly shelter allowances pursuant to the Social Services Law.

Statutes involved:

Real Property Tax Law

- § 467-b(2), amended
- § 467-b(2)(c), added
- § 467-b(3)(d)(3), amended
- § 467-b(3)(e)(3), amended
- § 467-b(3)(g), amended
- § 467-b(10), added
- § 467-c(3)(a)(3), added
- § 467-c(3)(b)(3), amended
- § 467-c(3)(d), amended

Administrative Code of City of NY

- § 26-405(m)(2)(iv)(a), amended
- § 26-405(m)(3)(a)(iii), amended
- § 26-405(m)(9), amended
- § 26-406(c)(3), amended
- § 26-509(b)(2)(iv), amended
- § 26-509(b)(3)(i)(c), amended
- § 26-509(b)(7)(iii), amended
- § 26-509(b)(9), amended
- § 26-605(a)(3), added
- § 26-605(b)(3), amended
- § 26-605(d), amended

Effective date: Chaptered on December 11, 2015, and deemed to have been in full force and effect on and after July 1, 2015.

TRAFFICKING VICTIMS

Chapter 368 — Enacts the Trafficking Victims Protection and Justice

Act

[S.7/A.506]

Relates to, among other things: improving the State’s response to human trafficking by increasing criminal accountability of buyers and traffickers; providing a civil remedy to human trafficking victims to recover damages and reasonable attorney’s fees from their perpetrators; and increasing awareness among law enforcement regarding identifying human trafficking victims and referral of services to human trafficking victims through the development and dissemination to all members of the State Police — in consultation with the Office of Temporary and Disability Assistance and the Division of Criminal Justice Services — written policies and education materials relating to human trafficking victims and establishing and implementing written procedures in the event State Police encounter an apparent human trafficking victim.

Statutes involved:

Section 14 of Chapter 74 of the Laws of 2007, amended

Civil Practice Law and Rules

§ 212(e), added

Correction Law

§ 168-a(2)(a)(i), amended

§ 168-d(1)(b), amended

Criminal Procedure Law

- § 380.50(6), amended
- § 440.10(i), amended
- § 700.05(8)(b) and (h), amended

Executive Law

- § 214-d, added
- § 840(3)(f-1), added

Mental Hygiene Law

- § 10.03(p), amended

Penal Law

- § 60.13, amended
- § 70.02(1)(a) and (c), amended
- § 70.80(1)(a), amended
- § 135.35, amended
- § 135.37, added
- § 230.01, added
- § 230.02 and 230.02(1), amended
- § 230.03(2), amended
- § 230.04, amended
- § 230.05, amended
- § 230.06, amended
- § 230.07, amended
- § 230.08, added
- § 230.10, amended
- §§ 230.11 – 230.13, added
- § 230.15(1) – (2), amended
- § 230.19(1), amended
- § 230.25 and 230.25(1), amended
- § 230.30, amended
- § 230.32, amended
- § 230.33, amended
- § 230.35, amended
- § 230.40, amended
- § 240.37(2), amended
- § 240.37(3), renumbered as (4) and new (3) added
- § 460.10(1)(a), amended

Public Health Law

- § 2324-a, amended

Real Property Actions and Proceedings Law

- § 715(2), amended

Real Property Law
§ 231(3), amended

Social Services Law
§ 483-bb(c), added
§ 483-cc(a), amended

Vehicle and Traffic Law
§ 509-cc(4)(c), amended
§ 510-d, added

Effective date: October 21, 2015 (§§ 33 and 45); January 19, 2016 (balance of the chapter law)

**Chapter 426 – Relates to Exempting Victims of Sex Trafficking from
the DNA Databank Fee**
[S.4394-A/A.2469-A]

Amends the Criminal Procedure Law and exempts victims of sex trafficking from the DNA databank fee, in addition to the mandatory surcharge and crime victim assistance fee for persons convicted where the arresting charge is loitering for prostitution or prostitution or when the court finds the defendant is a victim of sex trafficking.

Statutes involved:

Criminal Procedure Law § 420.35(2), amended

Effective date: November 20, 2015, and applies to convictions occurring on or after such date and for convictions for which sentence has not been imposed prior to such effective date.