

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

**DIGEST OF LAWS OF 2021 AND CHAPTER AMENDMENTS OF 2022
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 2021, which are not part of the New York State budget, and Chapter Amendments of 2022 and to direct interested persons to the appropriate provisions of the law. Generally, Chapter Laws from 2021 that appeared in last year's Digest, 21-INF-05, are not repeated here.

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 63/2021 – Chapter Amendment to Chapter 352/2020

[S.901/A.963]

Amends Chapter 352 of the Laws of 2020 to render it consistent with the “Food Donation and Food Scraps Recycling Act” passed as part of the 2019 State budget, and sunsetting supermarket-specific provisions when the 2019 law goes into effect on December 1, 2021.

Statutes involved:

Environmental Conservation Law
Article 27, Title 30, repealed
§ 27-2001, amended
§ 27-2218, added

§ 2 of Chapter 352 of the Laws of 2020, amended

Effective date: February 16, 2021, with certain sections taking effect on December 23, 2020

Chapter 791/2021 – Chapter Amendment to Chapter 63/2021

[S.6018-B/A.6562-A]

Extends certain provisions of Chapter 63 of the Laws of 2021 amending the Environmental Conservation Law relating to supermarkets providing excess edible food to food relief organizations from December 31, 2021 to December 31, 2026.

Statutes involved: § 6 of Chapter 63 of the Laws of 2021

Effective date: December 22, 2021

Chapter 43/2022 – Chapter Amendment to Chapter 63/2021

[S.7812/A.8754]

Amends Chapter 63 of the Laws of 2021 to modify the definition of "supermarket" to specify that supermarkets larger than 10,000 square feet that generate an annual average of less than two tons of scraps per week are authorized to donate food to food relief organizations.

Statutes involved:

Environmental Conservation Law § 27-2218, amended

Chapter 63 of the Laws of 2021, amended

Effective date: December 22, 2021

Chapter 126/2021 – Relates to Authorizing the Payment of Camp Fees for Children Receiving Safety Net Assistance (SNA)

[S.7133/A.7714]

A 2021 OTDA Departmental Proposal, Chapter 126/2021 amends the Social Services Law to allow camp fee payments for children in family assistance (FA) or SNA cases.

Statutes involved:

Social Services Law
§ 131-a, amended
§ 350(1)(d), repealed

Effective date: June 30, 2021

Chapter 133/2021 – Allows Persons Applying for or Receiving Public Assistance (PA) to be Interviewed by Phone

[S.3223-A/A.5414]

Allows persons applying for or receiving PA to be interviewed by phone at social services district's (district's) option.

Statutes involved:

Social Services Law
§ 132, amended
§ 134-a, amended
§ 349-a, amended

Effective date: June 11, 2021

Chapter 144/2021 – Chapter Amendment to Chapter 133/2021

[S.7007 /A.7726]

Amends Chapter 133 of the Laws of 2021 to allow persons applying for or receiving PA to be interviewed by phone or other digital means at the request of the applicant or recipient rather than at district's option.

Statutes involved:

Social Services Law
§ 132, amended
§ 134-a, amended
§ 349-a, amended

Section 4 of Chapter 133 of the Laws of 2021, amended

Effective date: June 11, 2021, with certain sections taking effect on October 9, 2021

Chapter 165/2021 – Extends Current Exemptions of Income and Resources for PA Programs

[S.7017/A.7656]

A 2021 OTDA Departmental Proposal, Chapter 165 of the Laws of 2021 extends, for two years, the income and resources exemptions provisions of Social Services Law § 131-n from August 22, 2021 to August 22, 2023, to help ensure that families will not have to divest themselves of certain resources to qualify for PA.

Statutes involved:

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

Effective date: June 29, 2021

Chapter 251/2021 – Requires the Commissioner of Labor to Provide Notice to Unemployment Applicants of Rental, Mortgage, Food and Utility Assistance Programs Available

[S.5490-B/A.6337-B]

Amends the Labor Law to require the Commissioner of Labor to: (1) provide notice to unemployment insurance applicants of rental, mortgage, food and utility assistance programs available through the Division of Housing and Community Renewal and OTDA; and (2) provide information about such programs on the Department of Labor's website.

Statutes involved:

Labor Law § 540, amended

Effective date: July 16, 2021

Chapter 430/2021 – Establishes a Statewide Restaurant Meals Program as Part of the Supplemental Nutrition Assistance Program (SNAP)

[S.64/A.1524]

Establishes a statewide Restaurant Meals Program, in accordance with the guidelines set at the federal level, to allow elderly persons, disabled persons, their spouses, and homeless persons to use SNAP benefits for the purchase of hot or prepared foods from participating restaurants, delis, and grocery stores, and allows OTDA to promulgate rules and regulations to assist in implementing the program.

Statutes involved:

Social Services Law § 95, amended

Effective date: January 1, 2022

Chapter 448/2021 – Requires Applicants for PA to be Fully Informed that They May be Liable to Reimburse the State for Benefits Received

[S.6269/A.3766]

Requires that applicants for PA be given written notice that they may be liable to reimburse the State for benefits received from a person discovered to have property. Notice may be given as part of an informational booklet promulgated by OTDA and as a standalone document on his or her rights and responsibilities.

Statutes involved:

Social Services Law §110-b, added

Effective date: June 30, 2022

Chapter 592/2021 – Relates to the Provision of Lifeline Services

[S.5062/A.6436]

Directs the Public Service Commission (PSC) to establish standards and safeguards for certain radio and phone providers to meet in order to provide Lifeline services, which are subsidized telecommunications services to low-income individuals.

Statutes involved :

Public Service Law § 5, amended

Effective date: November 8, 2021

Chapter 631/2021 – Establishes the Nourish New York Program

[S.4892-A/A.5781-A]

Amends the Agriculture and Markets Law to make permanent the Nourish New York Program. The program was originally developed in response to disrupted food supply chains during the 2019 Novel Coronavirus (COVID-19) pandemic.

Statutes involved:

Agriculture and Markets Law Article 27, §§ 450–452, added

Effective date: November 20, 2021

Chapter 101/2022 – Chapter Amendment to Chapter 631/2021

[S.7771/A.8705]

Amends Chapter 631 of the Laws of 2021 by: (1) defining “processed products” for the Nourish New York Program; (2) providing for annual assessments, to determine unmet needs for cold storage and the Hunger Prevention and Nutrition Assistance Program; and (3) providing that these assessments are conducted by the Commissioner of Health instead of the Commissioner of Agriculture.

Statutes involved:

Agriculture and Markets Law
§ 451–452, amended
§ 452(4)–(5), repealed

Public Health Law Article 2, Title 8, § 269, added

Chapter 631 of the Laws of 2021, amended

Effective date: November 20, 2021

Chapter 646/2021 – Establishes the Child Poverty Reduction Advisory Council

[S.2755-C/A.1160-C]

Amends the Social Services Law by establishing an advisory council to effectuate a reduction in child poverty in the State by 50 percent in the next 10 years, and providing for the repeal of such provisions 10 years after its effective date.

Statutes involved:

Social Services Law § 131-zz, added

Effective date: December 1, 2021

Chapter 114/2022 – Chapter Amendment to Chapter 646/2021

[S.7800/A.8830]

Amends Chapter 646 of the Laws of 2021 by: (1) extending the delivery date of policy reviews from 6 months to 18 months; (2) extending the delivery date of the recommendations of the advisory council to the Governor and State Legislature from one year to two years, to account for the extended timelines; (3) changing the frequency of the reports from biannual reports starting June 1, 2022 to annual reports starting September 1, 2023; and (4) extending the repeal date from 10 years from date of enactment to 11 years.

Statutes involved:

Social Services Law § 131-zz, amended

§ 3 of Chapter 646 of the Laws of 2021, amended

Effective date: December 1, 2021

Chapter 731/2021 – Creates a Task Force on Improving Urban and Rural Access to Locally – Produced, Healthy Foods

[S.1056/A.4613]

Adds a new § 28 to the Agriculture and Markets Law creating a task force on improving urban and rural consumer access to locally produced, healthy foods, provides that such task force should identify strategies, opportunities and methods to expand such access, and provides that such task force report to the Governor and the Legislature within one year after the section takes effect.

Statutes involved:

Agriculture and Markets Law § 28, added

Effective date: December 22, 2021

Chapter 124/2022 – Chapter Amendment to Chapter 731/2021

[S.7823/A.8765]

Amends Chapter 731 of 2021 by: (1) replacing the task force with an advisory group, convened by the Commissioner of Agriculture and Markets, consisting of representatives from agriculture, food access organizations, food retailers, and economic development agencies, and assigned the task of identifying strategies and opportunities to expand access for underserved, nutritionally deficient urban and rural communities to healthy, locally produced food in NYS; and (2) changes the expiration of the provisions to after the advisory group’s delivery of a report summarizing its findings and recommendations to the Governor and State Legislature.

Statutes involved:

Agriculture and Markets Law § 28, amended

§ 2 of Chapter 731 of the Laws of 2021, amended

Effective date: December 22, 2021

Chapter 797/2021 – Relates to the Composition and Obligations of the Child Care Availability Task Force and the Focus of Such Task Force

[S.7128/A.7721-A]

Requires, among other things, such task force to examine certain components relating to child care availability with a focus on how each of the components has been affected by the implementation of policies supported by federally-funded programs through various stimulus packages, and to provide reports to the Governor and leaders of both Houses of the State Legislature.

Statutes involved:

Social Services Law § 390-k, amended

Section 2 of Chapter 493 of the Laws of 2017, amended

Effective date: December 22, 2021

Chapter 133/2022 – Chapter Amendment to Chapter 797/2021

[S.7846/A.8740]

Amends Chapter 797 of the Laws of 2021 to temporarily shift the focus of the Child Care Availability Taskforce for the next three years to focus on and provide an evaluation of COVID-19 on the child care sector, advise the State on how to implement recommendations to address child care workforce issues, and advise the State on how to implement a phased-in rollout of a universal child care model.

Statutes involved:

Social Services Law § 390-k, amended

Chapter 797 of the Laws of 2021, amended

Effective date: December 22, 2021

Child Support

Chapter 183/2021 – Extends Provisions of Law Relating to Enforcement of Support Obligations through the Suspension of Driving Privileges

[S.7016/A.7657]

A 2021 OTDA Departmental Proposal, Chapter 183 of the Laws of 2021 extends, for two years, the driver license suspension process, one of the State's most effective tools to enforce child support obligations, from August 31, 2021 to August 31, 2023.

Statutes involved:

Section 246 of Chapter 81 of the Laws of 1995, amended

Effective date: June 29, 2021

Chapter 316/2021 – Relates to the Transfer of Unclaimed Support Collections and Unidentified Payments
[S.7153/A.7942]

Provides that any funds paid to a support collection unit which have not been disbursed after two years of diligent efforts to locate the person entitled to such funds, and funds which the remitter of such funds has not provided sufficient identifying information to associate the funds with an existing account shall be paid to the State Comptroller.

Statutes involved:

Abandoned Property Law
§ 600(1)(c), repealed
§ 602(3), repealed
§ 1318, added

Social Services Law
§ 111-h(5)–(7), (12)–(17), repealed
§ 111-h, amended

Effective date: July 30, 2021

Chapter 437/2021 – Relates to Support Orders for Adult Dependents
[S.4467-B/A.898-B]

Allows a custodial parent to petition the court for the support of a dependent until such individual reaches the age of 26 if the individual is developmentally disabled as defined under Section 1.03 of the Mental Hygiene Law and unable to live on their own.

Statutes involved:

Domestic Relations Law § 240-d, added

Family Court Act § 413-b, added

Effective date: October 8, 2021

Chapter 110/2022 – Chapter Amendment to Chapter 437/2021
[S.7794/A.8841]

Amends Chapter 437/2021 by amending the Domestic Relations Law and the Family Court Act to clarify that: (1) an order of support for an adult with developmental disabilities is not applicable to services under § 111-g of the Social Services Law; and (2) a court's finding concerning a person's disability status is not binding on the State, a local government, or the person, for any other purpose, including whether the person is eligible for services from the State Office for People with Developmental Disabilities.

Statutes involved:

Domestic Relations Law § 240-d, amended

Family Court Act § 413-b, amended

Chapter 437 of the Laws of 2021

Effective date: October 8, 2021

**Chapter 504/2021 – Includes Certain Independent
Contractors in the State Directory of New Hires to Aid in the Administration of the
Child Support Enforcement Program**
[S.346/A.1242]

Chapter 504/2021 includes independent contractors with contracts in excess of \$2,500 in the State Directory of New Hires to aid in the administration of the child support enforcement program.

Statutes involved:

Tax Law § 171-h(2)(a), amended

Effective date: January 1, 2022

Administration

**Chapter 159/2021 – Relates to Extensions of Certain Exemptions from Professional
Licensure Requirement for Persons Employed as Social Workers**
[S.6431/A.7405-A]

Among other things, Chapter 159/2021 extends, for one year, certain exemptions from professional licensure requirements for persons employed as mental health practitioners, psychologists and social workers in a program or service operated, regulated, funded, or approved by enumerated state and local agencies.

Statutes involved:

Education Law
§ 7605, amended
§ 7706, amended
§ 8410, amended

Effective date: June 24, 2021

Chapter 1/2022 – Chapter Amendment to Part “E” of Chapter 417/2021
[S.7623-A/A.8591]

Extends the authorization conferred in Part “E” of Chapter 417/2021 for public bodies to continue meeting remotely, subject to requirements, until “the expiration or termination of the state disaster emergency declared pursuant to [Executive Order No. 11 of 2021] or any extension or modification thereof ...”.

Statutes involved:

Sections 1 and 2 of Part “E” of Chapter 417 of the Laws of 2021, amended

Effective date: January 14, 2022

Chapter 481/2021 – Relates to Making Certain Documents Available for Open Meetings
[S.1150-A/A.1228-A]

Amends the Public Officers Law to require agency records available to the public, as well as any proposed resolution, law, rule regulation, policy and amendment thereto, that are scheduled to be discussed at open meetings be made available upon request or posted on the public body's website to the extent practicable at least 24 hours prior to such open meeting.

Statutes involved:

Public Officers Law § 103, amended

Effective date: November 18, 2021

Chapter 587/2021 – Requires that Minutes of Meetings of a Public Body be Posted on Its Website
[S.4704-A/A.1108-A]

Amends the Public Officers Law to require that minutes taken at a meeting of a public body be posted on the agency's website within two weeks from an open meeting and one week from an executive session.

Statutes involved:

Public Officers Law § 106, amended

Effective date: November 8, 2021

Chapter 676/2021 – Amends the Definition of "Public Body" under the Public Officers Law

[S.1625-A/A.924-A]

Amends the definition of "public body" to include any entity created or appointed to perform a necessary function in the decision-making process.

Statutes involved:

Public Officers Law § 102, amended

Effective date: December 21, 2021

Chapter 115/2022 – Chapter Amendment to Chapter 676/2021

[S.7803/A.8703]

Amends definition of “public body” as set forth in Chapter 676 of the Laws of 2021 to clarify that an entity created or appointed to perform a necessary function in the decision-making process must have two or more members and require a quorum to function in order to be classified as a public body.

Statutes involved:

Public Officers Law § 102, amended

Chapter 676 of the Laws of 2021

Effective date: December 21, 2021

Chapter 743/2021 – Provides for “Donate Life” Registration on Electronic Transactions Administered by OTDA

[S.5973/A.6392]

Among other things, amends the Public Health Law to provide for Donate Life registration for organ, eye, and tissue donations on electronic transactions administered by OTDA, among others.

Statutes involved:

Public Health Law § 4310, amended

Effective date: June 20, 2022

Chapter 37/2022 – Chapter Amendment to Chapter 743/2021

[S.7890/A.8732]

Among other things, amends the effective date of Chapter 743 of the Laws of 2021 to take effect one year after it shall have become law, which would be December 22, 2022.

Statutes involved:

Public Health Law § 4310, amended

§ 3 of Chapter 743 of the Laws of 2021, amended

Effective date: February 24, 2022, with certain sections taking effect on December 22, 2022

Chapter 801/2021 – Authorizes the Use of Innovative Techniques to Enhance Public Participation in the Rule Making Process

[S.155/A.6267]

Among other things, adds a new § 202-f to the State Administrative Procedure Act (SAPA) addressing public hearings pertaining to agency rule making. Creates a three-year pilot project whereby seven of the most active regulatory agencies, including OTDA, are required to hold public hearings pertaining to any rules which have been proposed by the agency or have been described in the regulatory agenda if requested to do so pursuant to a petition of 125 or more persons. (SAPA § 202-f [3][b] exempts consensus rule makings from this requirement). Such “innovative techniques” permitted by the law include organizing such hearing as a roundtable discussion, scheduling an evening or weekend hearing, and using broadcasting and teleconferencing technologies.

Statutes involved:

State Administrative Procedure Act

§ 102, amended

§ 202-f, added

Effective date: January 1, 2022

Chapter 116/2022 – Chapter Amendment to Chapter 801/2021

[S.7805/A.8796]

Amends several provisions of Chapter 801 of the Laws of 2021, including: (1) amends SAPA § 202-f(1) by authorizing an agency to also use digital technologies for public hearings; (2) amends SAPA § 202-f(2) by: (a) adjusting the number of signatures required on a petition for OTDA to hold public hearings pertaining to proposed rules

from not less than 125 persons to not less than 500 persons residing in the State; (b) adjusts the deadline by which such a petition must be received by OTDA from not later than the 20th day before the expiration of the public comment period to not later than the 30th day before the expiration of the public comment period; and (c) authorizes OTDA to promulgate its own petition form, if desired; (3) amends SAPA § 202-f(3) to exempt emergency rules, in addition to consensus rules, from the public hearing requirement (until such time as a notice of proposed rule making has been issued); and (4) changes the effective date of Chapter 801 of the Laws of 2021 from January 1, 2022 to January 1, 2023.

Statutes involved:

State Administrative Procedure Act § 202(f), amended

§ 3 of Chapter 801 of the Laws of 2021, amended

Effective date: February 24, 2022, with § 1 taking effect on January 1, 2023

Chapter 808/2021 – Requires a Particularized and Specific Justification for Denial of Access to Records under the Freedom of Information Law (FOIL)

[S.6017/A.5470]

Clarifies that: (1) parties to any civil or criminal action or proceeding can use FOIL to obtain records concerning the action or proceeding; and (2) access to a record cannot be withheld due solely to the type or category of record. It also amends the law enforcement exception to FOIL to make clear that records cannot be withheld solely because they relate in some manner to an investigation or criminal proceeding. It also amends Civil Rights Law § 50-b to clarify that only the portions of a report that would identify a victim of a sexual offense are exempt from disclosure.

Statutes involved:

Civil Rights Law § 50-b, amended

Public Officers Law
§ 87, amended
§ 89, amended

Effective date: December 29, 2021

Chapter 155/2022 – Chapter Amendment to Chapter 808/2021

[S.7734/A.8734]

Amends Chapter 808 of the Laws of 2021 by: (1) removing the requirement that a judicial hearing be held to determine whether documents related to a judicial proceeding should be withheld pursuant to a FOIL request; (2) adding language to require an agency

that is not the assigned investigative agency in an ongoing investigation to obtain certification from the assigned investigative agency that the FOIL-requested records may be withheld because disclosure would interfere with an ongoing investigation; and (3) removing language amending the Civil Rights Law pertaining to victims of sex offenses.

Statutes involved:

Civil Rights Law § 50-b, amended

Public Officers Law

§ 87(6), repealed

§ 87, amended

Chapter 808 of the Laws of 2021

Effective date: December 29, 2021

Domestic Violence Victims

Chapter 309/2021 – Relates to the Disclosure by Domestic Violence Advocates of Communications Made by a Client

[S.1789/A.2520]

Amends the Civil Practice Law and Rules to establish that domestic violence advocates may not disclose any communication made by a client to the advocate except in certain circumstances including, but not limited to, after obtaining the consent of the client or if the client reveals an intent to commit a crime.

Statutes involved:

Civil Practice Law and Rules § 4510, amended

Effective date: July 23, 2021

Chapter 517/2021 – Requires the Release of Individuals from Utility Corporation Services in Instances of Domestic Violence

[S.1557/A.4496]

Requires the release of individuals from utility corporation services in instances of domestic violence where such individual has a shared contract with the utility corporation, requests to opt-out in writing, and provides certain documents to the utility corporation.

Statutes involved:

Public Service Law § 48-a, added

Effective date: October 28, 2021

Chapter 521/2021 – Relates to the Confidentiality of Voter Registration Records for Victims of Domestic Violence

[S.1555-A/A.465-A]

Enables victims of domestic violence wishing to make their voter registration records confidential to deliver a signed written statement to the county board of elections swearing or affirming that they are victims of domestic violence and that due to the threat of physical or emotional harm, they wish to keep their registration records confidential.

Statutes involved:

Election Law § 5-508, amended

Effective date: October 28, 2021

Lesbian, Gay, Bisexual and Transgender (LGBT) Services

Chapter 158/2021 – Enacts the “Gender Recognition Act”

[S.4402-B/A.5465-D]

Among other things, Chapter 158 of the Laws of 2021 amends the Civil Rights Law by adding a new Article 6-A, “Change of Sex Designation” which: (1) includes language outlining the petition process for sex designation, name change, the simultaneous request for both, and the sealing of such records; (2) if the court to which the petition is presented is satisfied, revised § 64-a expands the "totality of circumstances" necessary for the sealing of change of name papers to include, but not be limited to, a consideration of the risk of violence or discrimination against the applicant, including such applicant's status as transgender or as the subject of domestic violence; and (3) amends the law for application for a driver's license to allow for an applicant's self-certification of their sex designation as “male,” “female,” or “x”.

Statutes involved:

Civil Rights Law
§§ 62–64, amended
§ 64-a, amended
Article 6-A, added

Public Health Law
§ 4132, amended
§ 4138, amended

Vehicle and Traffic Law
§ 490, amended
§ 502, amended
§ 502(1), repealed

Effective date: December 21, 2021

Chapter 163/2022 – Chapter Amendment to Chapter 158/2021
[S.7808/A.8827]

Amends Chapter 158 of the Laws of 2021 by: (1) making technical corrections related to the way records are handled and distributed; and (2) changing the implementation time of certain amendments to the Vehicle and Traffic Law from 180 days after the date of enactment to 365 days after the date of enactment.

Statutes involved:

Civil Rights Law
§ 64, amended
§ 67, amended
§ 67-a, amended

Section 12 of Chapter 158 of the Laws of 2021, amended

Effective date: December 21, 2021

Minority- and Women-Owned Business Enterprises (MWBEs)

Chapter 157/2021 – Relates to an Exclusion from Income for Amounts Received Pursuant to the COVID-19 Pandemic Small Business Recovery Grant Program
[S.7230/A.8033]

Provides an exclusion from income under certain provisions of the Tax Law for amounts received pursuant to the COVID-19 Pandemic Small Business Recovery Grant Program, established in § 16-ff of the “New York State Urban Development Corporation Act”.

Statutes involved:

Tax Law
§ 208, amended
§ 612, amended

Effective date: June 23, 2021

Chapter 348/2021 – Relates to the Publication of Information Regarding Waivers of Compliance with State Contract Provisions Concerning MWBE Participation Requirements

[S.4165-A/A.7689]

Amends the Executive Law to require that if there is a MWBE compliance waiver, the contracting agency will publish information related to the issued waiver on its website, in a location that is easily accessible to the public and must include whether the compliance waiver was a partial or total waiver.

Statutes involved:

Executive Law § 313, amended

Effective date: October 1, 2021

Chapter 825/2021 – Relates to Assisting Contractors to Identify Minority Group Members and Women for Hiring Opportunities

[S.1215/A.7498]

Amends the Executive Law and the Labor Law in relation to assisting contractors to identify minority group members and women who are participating in apprenticeship agreements for hiring opportunities.

Statutes involved:

Executive Law § 311, amended

Labor Law § 811, amended

Effective date: March 1, 2022

Shelter

Chapter 80/2021 – Relates to Requirements for Transfer, Discharge and Voluntary Discharge from Residential Health Care Facilities

[S.3058/A.3919]

Establishes requirements for the transfer, discharge and voluntary discharge from residential health care facilities, including providing that, prior to a facility initiating a transfer or discharge of a resident, the facility shall use its best efforts, including compliance with applicable federal and state regulations, to secure appropriate placement or a residential arrangement for the resident, other than temporary housing

assistance, which the legislation defines to include, but not be limited to, “a family shelter, a shelter for adults, a hotel, an emergency apartment, a domestic violence shelter, or a safe house for refugees.”

Statutes involved:

Public Health Law
§ 2803-c, amended
§ 2803-z, added

Effective date: March 19, 2021

Chapter 138/2021 (Chapter Amendment to Chapter 80/2021)
[S.6204/A.7018]

Amends Chapter 80/2021 by: (1) requiring certain documentation to be in the resident's medical record; (2) clarifying the resident's rights to independent personal decisions and knowledge of available choices; and (3) changing the effective date from March 19, 2021 to June 17, 2021.

Statutes involved:

Public Health Law
§ 2803-z, amended

§ 3 of Chapter 80 of the Laws of 2021, amended

Effective date: June 17, 2021

**Chapter 609/2021 – Relates to Certain Questions Regarding Veterans on Intake
Forms for Admission and Residency**
[S.2977-A/A.6100-A]

Requires the Division of Veterans’ Services (DVS), in cooperation with OTDA and other state agencies, to require that intake forms for admission to or residency in any homeless shelter include the question “[h]ave you ever served in the military?” In cases where an individual responds affirmatively and identifies themselves as having served in the United States (U.S.) military, the homeless shelter is required to advise the individual in writing about state and local veteran’s service agencies available to assist them in obtaining benefits available under federal and state law. Further, with the individual’s permission, the homeless shelter is required to transmit such veteran’s status information to the DVS.

Statutes involved:

Executive Law § 368-a, added

Public Health Law § 2805-o, amended

Effective date: March 11, 2022

Chapter 75/2022 – Chapter Amendment to Chapter 609/2021

[S.7706/A.8729]

Amends Chapter 609 of the Laws of 2021, including, but not limited to: amending Executive Law § 368-a by: (1) removing a reference to the Office of Mental Health; (2) changing a reference from “homeless shelter” to “temporary shelter that is reimbursed from state or state-administered grants or funds”; (3) changing the wording of the military service question; (4) changing the requirement to notify from homeless shelters to the social services districts; and (5) adding that DVS, in cooperation with OTDA and any other state department, office, division or agency DVS deems necessary, shall “encourage all other temporary shelter providers to share information to increase veteran access to benefits ...”.

Statutes involved:

Executive Law § 368-a, amended

Public Health Law § 2805-o, amended

Chapter 609 of the Laws of 2021, amended

Effective date: March 11, 2022

Chapter 794/2021 – Relates to Providing Feminine Hygiene Products at No Cost to Menstruating Individuals Receiving Temporary Housing Assistance

[S.6572/A.529-A]

Requires providers of temporary housing assistance to provide feminine hygiene products at no cost to menstruating individuals.

Statutes involved:

Social Services Law § 152-c, added

Effective date: December 22, 2021

Chapter 72/2022 – Chapter Amendment to Chapter 794/2021

[S.7697/A.8783]

Amends Chapter 794 of the Laws of 2021 by: (1) replacing "feminine hygiene" with "menstrual"; (2) clarifying that these provisions are applicable to temporary shelters that are reimbursed by the State; (3) including language stating that an

adequate number of such products are to be provided commensurate with the individual's need; and (4) provides a definition as to what shall be considered "temporary shelter", including, but not be limited to, "a family shelter, a shelter for adults, a hotel, an emergency apartment, a domestic violence shelter, a runaway and homeless youth shelter, or a safe house for refugees."

Statutes involved:

Social Services Law § 152-c, amended

Chapter 794 of the Laws of 2021, amended

Effective date: December 22, 2021

Tenant Protections

Chapter 417/2021 – Chapter Amendment to Chapters 56/2021 and 127/2020

[S.50001/A.40001]

Among other things, Chapter 417/2021 enacted amendments related to the Emergency Rental Assistance (ERAP) program.

Detailed information related to the ERAP program may be found on OTDA's website at: <https://otda.ny.gov/programs/emergency-rental-assistance/> .

Statutes involved:

Chapter 56 of the Laws of 2021

Part "BB", Subpart "A"

§§ 3, 6, 8–9, 11, amended

§9-a, added

Chapter 127 of the Laws of 2020, §§ 1–2, amended

Effective date: September 2, 2021

Chapter 243/2021 – Relates to Directing the Division of Human Rights to Promulgate Regulations Requiring the Disclosure of Lawful Source of Income Rights to Prospective Tenants

[S.427-A/A.3112-B]

Amends the Executive Law by adding a new § 170-e that directs the Division of Human Rights to promulgate regulations requiring entities authorized to administer any public

housing program or assistance to provide written notice to prospective tenants, and individuals who have applied for and are eligible to receive housing assistance of their rights related to source of income discrimination.

Statutes involved:

Executive Law § 170-e, added

Effective date: September 14, 2021

Chapter 666/2021 – Relates to the Provision of Family Homelessness and Eviction Prevention Supplement (FHEPS) Housing Vouchers in Social Services Districts with a Population of Five Million or More
[S.6573/A.8009]

Requires that for a social services district with a population of five million or more, FHEPS vouchers will be made available to eligible families, provided that the maximum rents for such vouchers are set at fair market rent level, in accordance with the United States Department of Housing and Urban Development. The State shall reimburse the social services districts for payments under the FHEPS program.

Statutes involved:

Social Services Law § 131-bb, added

Effective date: December 10, 2021

Trafficking Victims

Chapter 227/2021 – Extends Provisions of Law Relating to the Interagency Task Force (ITF) on Human Trafficking
[S.6696/A.7484]

Extends, for two years, the ITF on human trafficking from September 1, 2021 to September 1, 2023.

Statutes involved:

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

Effective date: July 1, 2021

Chapter 311/2021 – Relates to a Civil Cause of Action for Human Trafficking
[S.672/A.3186]

Among other amendments, allows for actions relating to human trafficking to be commenced within 15 years of the date on which the trafficking victim was freed from the trafficking situation or, if the victim was a minor when the act of human trafficking against the victim occurred, within 15 years after the date the victim attains the age of majority.

Statutes involved:

Civil Practice Law and Rules § 212, amended

Social Services Law § 483-bb, amended

Effective date: July 28, 2021

Chapter 447/2021 – Relates to Extortion or Coercion Related to Immigration Status or Suspected Immigration Status
[S.343-A/A.3412-A]

Amends the Penal Law definitions of "extortion" and "coercion" to also include making threats for such purposes to cause removal proceedings to be brought against an individual, or reporting immigration status or suspected immigration status.

Statutes involved:

Penal Law
§ 135.60, amended
§ 155.05, amended

Effective date: November 7, 2021

Chapter 629/2021 – Relates to Proceedings to Vacate Convictions for Offenses Resulting from Sex Trafficking, Labor Trafficking and Compelling Prostitution and Provides for Confidentiality of Records of Such Proceedings
[S.674/A.459]

Amends the Criminal Procedure Law to expand the offenses for which victims of sex trafficking, labor trafficking, compelling prostitution, and trafficking in persons may seek vacatur of convictions for offenses resulting from that trafficking or compelling, and protects the confidentiality of information contained in motions brought under the statute.

Statutes involved:

Criminal Procedure Law § 440.10, amended

Effective date: November 16, 2021, with certain provisions taking effect on January 15, 2022

Chapter 658/2021 – Relates to Advising Human Trafficking Victims of the Availability of Social and Legal Services

[S.924/A.3331]

Requires law enforcement agencies and district attorney's offices to advise human trafficking victims of the availability of social and legal services; unless law enforcement agencies and district attorney's offices are notified by the victim that they do not want such services, such law enforcement agency shall contact the appropriate provider and request that a representative be provided.

Statutes involved:

Social Services Law § 483-cc, amended

Effective date: December 9, 2021

Chapter 80/2022 – Chapter Amendment to Chapter 658/2021

[S.7712/A.8738]

Amends Chapter 658 of the Laws of 2021 by adding that: (1) the law enforcement agency or district attorney's office may inform human trafficking victims of the location of written materials available online; and (2) the law enforcement agency or district attorney's office must offer to contact the appropriate provider or providers and connect that provider or providers with the apparent victim.

Statutes involved:

Social Services Law § 483-cc, amended

Chapter 658 of the Laws of 2021, amended

Effective date: December 9, 2021