



George E. Pataki
Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Brian J. Wing
Commissioner

: INFORMATIONAL LETTER :

TRANSMITTAL: 98 INF-12

TO: Commissioners of
Social Services

OFFICE: Legal Affairs

DATE: September 2, 1998

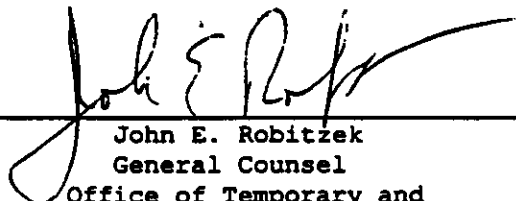
SUBJECT: Digest of Laws of 1998 Relating to Programs of the
Office of Temporary and Disability Assistance

SUGGESTED

DISTRIBUTION: General Administration Staff
Family Court Judges
Staff Development Coordinators

CONTACT PERSON: Ronald Speier, Assistant Counsel, Legal Affairs,
(800) 342-3715, extension 4-6573

ATTACHMENTS: Digest of Laws (Available on-line)



John E. Robitzek
General Counsel
Office of Temporary and
Disability Assistance

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 1998
RELATING TO PROGRAMS OF THE OFFICE
OF TEMPORARY AND DISABILITY ASSISTANCE

N O T I C E

The purpose of this Digest is to highlight provisions of the Laws of 1998 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
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243

T A B L E O F C O N T E N T S

L A W S O F 1 9 9 8 P A G E I N T H I S
C H A P T E R N O . D I G E S T

TEMPORARY ASSISTANCE

58	4
214	4-6, 9
316	6
377	7
429	7
564	7

HOUSING SERVICES

204	8
-----	---

CHILD SUPPORT

214	4-6 and 9
393	9

STATUTES INVOLVED: PAGES 10 THROUGH 12
SUBJECT INDEX: PAGES 13 THROUGH 14

TEMPORARY ASSISTANCE

Chapter 58 - Additional State Payments

[Senate 6098-B, a Budget Bill]

Establishes the standard of monthly need for additional State payments for persons and couples living alone and living with others.

Statutes involved:

Social Services Law

Section 209, subd. 2, paras. (a) and (b), amended

Effective date: April 28, 1998.

Chapter 214 - Welfare Reform Technical Amendments

[Senate 7483-A by Senator Holland, et al.]

Makes technical and conforming amendments to the Welfare Reform Act of 1997 (Chapter 436 of the Laws of 1997). The amendments correct errors and omissions in the Welfare Reform Act of 1997 and conform the Social Services Law to the requirements of the Federal Balanced Budget Act of 1997 relating to assistance for aliens, the administration and implementation of the child support enforcement program and welfare reform.

Statutes involved:

Chapter 436, Laws of 1997

Part B, sect. 1, amended

Part B, sect. 119, repealed

Part B, sect. 120, repealed

Part B, sect. 147, repealed

Part B, sect. 153, subds. (a) and (i), amended

Part B, sect. 153, subd. (o), added

Chapter 398, Laws of 1997

Section 36, amended

Section 148-a, added

Section 149, amended

Chapter 81, laws of 1995

Section 246, subd. 19, amended

Social Services Law

Section 111-k, subd. 1, paras (a) and (b), amended

Section 111-n, subd. 3, paras. (a) and (b), amended

Section 111-c, subd. 2, para. h, amended

Section 111-u, subds. 4 and 5, amended

Section 117, subd. 3, para. (a), amended

Section 122, subds. 1 and 4, amended

Section 153-j, subds. 2, 3 and 6, amended
Section 209, subd. 1, para. (a), subpara. (iv), amended
Section 209, subd. 2, paras. (a) and (b) amended
Section 131, subd. 16, added
Section 349-b, subds. 3 and 4, repealed
Section 131-a, subd. 8, para. (a), subpara. (iii), amended
Section 131-a, subd. 8, para. (c), amended
Section 131-n, subd. 1, amended
Section 153, subd. 17, amended
Section 350, subd. 2, amended
Section 132, subd. 4, paras. (a), (c) and (f), amended
Section 145-c, amended
Section 159, subd. 2, amended
Section 159, subd. 11, added
Section 158, subd. 1, para. (f), amended
Section 330, subd. 5, amended
Section 332, subd. 1, para. (c), amended
Section 332-b, subd. 2, para. (b), amended
Section 335, subd. 1, amended
Section 335-b, subd. 1, paras. (b) and (d), amended
Section 335-b, subds. 2, 3 and 4, amended
Section 336, subd. 1, para. (h), amended
Section 336, subd. 7, amended
Section 410-v, subd. 2, amended
Section 410-w, subd. 1, paras. (a) and (b), amended
Section 410-w, subd. 3, amended
Section 410-x, subd. 3, amended
Section 165, repealed and a new section 165, added
Section 366, subd. 1, para. (a), subpara. 1, amended
Section 366, subd. 1, para. (a), subpara. 8, amended
Section 366, subd. 1, para. (a), subpara. 10, amended

Tax Law

Section 171-a, subd. 4, amended
Section 171-h, subd. 4, paras. (e) and (f), amended
Section 697, subsect. (e), para. 3, amended
Section 697, subsect. (1), amended

Family Court Act

Article 5B, Part 6.C, sect. 580-613, sect. heading, amended
Section 580-307, subd. a, amended
Section 580-501, amended
Section 580-204, amended
Section 580-605, subd. (c), amended
Section 580-701, subd. (b), amended
Section 580-802, subd. (b), amended
Section 580-904, amended
Section 580-905, amended
Section 154, subd. (b), added
Section 573, repealed
Section 574, repealed
Section 571, subd. 10, amended
Section 571, subd. 11, added
Section 443, amended
Section 418, subd. (a), amended

Section 532, subd. (a), amended
Section 416, amended
Section 424-a, subd. (a), amended
Section 440, subd. 1, para. (b), amended
Section 545, subd. 1, amended
Section 454, subd. 2, para. (h), added
Section 572, repealed

Domestic Relations Law

Section 240-b, amended
Section 236, Part B, subd. 4, para. a, amended
Section 240, subd. 1, amended

Public Health Law

Section 4135-b, subd. 1, para. (a), amended
Section 4138, subd. 1, para. (e), amended

Civil Practice Law and Rules

Section 5241, subd. (b), para. 2, amended
Section 5241, subd. (b), para. 3, amended
Section 5241, subd. (c), para. 1, amended
Section 5241, subd. (c), para. 2, amended
Section 5241, subd. (c), para. 2, subparas. (viii), (ix), (x) and (xi),
added
Section 5241, subd. (g), para. 2, subpara. (D), amended
Section 5241, subd. (g), para. 3, amended
Section 5252, subd. 1, amended

Labor Law

Section 21, subd. 13, renumb. subd. 14
Section 596, subd. 3, para. (b), amended
Section 602, amended

Environmental Conservation Law

Section 11-0713, subd. 2, amended

Effective date: July 7, 1998

Chapter 316 = Additional State Payments
[Senate 6368-A by Senator Holland, et al.]

Makes the State permanently and fully responsible for the payment of the social services districts' shares of the costs of additional State payments to Supplemental Security Income recipients.

Statutes involved:

Social Services Law

Section 212, subd. 1, opening para., amended
Section 212, subd. 2, amended
Section 212, subd. 3, repealed

Effective date: July 14, 1998

Chapter 377 - Standard of Monthly Need, Personal Needs Allowance

[Assembly 10858-A by the Committee on Rules]

Increases the standards of 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, 1999 and June 30, 1999.

Statutes involved:

Social Services Law

Section 131-o, subd. 1, paras. (a), (b), (c) and (d), amended

Section 209, subd. 2, paras. (c), (d), (e) and (f), amended

Section 210, subd. 1, amended

Effective date: December 31, 1998

Chapter 429 - Inspection of Motor Vehicles

[Senate 5918-A by Senator Holland]

Permits automobile dealers to transfer to welfare-to-work programs operated by a private industry council, a county or a social services district and authorized by the Department of Labor, automobiles that have not been inspected.

Statutes involved:

Vehicle and Traffic Law

Section 301, subd. (a), amended

Effective date: July 22, 1998

Chapter 564 - Child Assistance Program

[Senate 6360-A by Senator Holland, et al.]

Provides that persons in receipt of benefits under the Child Assistance Program (CAP) and the Medical Assistance Program (MA) who, prior to April 1, 1999, become ineligible for MA due solely to increased earnings from employment or loss of earned income disregards will remain eligible for MA until March 31, 1999. In addition, the Chapter provides for an additional 12 month extension of MA eligibility for persons who become ineligible for CAP benefits or MA due solely to increased earnings from employment or loss of earned income disregards.

Statutes involved:

Social Services Law

Section 131-z, subd. 6, amended

Effective date: August 5, 1998

HOUSING SERVICES

Chapter 204 - Homelessness Intervention Program
[Senate 6966 by Senator Holland, at the request of
the Office of Temporary and Disability Assistance]

Establishes the Homelessness Intervention Program (HIP) by creating more flexibility in the Homeless Rehousing Assistance Program and the Homelessness Prevention Program (HPP) and by adding HPP services as eligible activities under HIP.

Statutes involved:

Social Services Law
Section 48, amended
Section 49, amended
Section 50, amended
Section 51, amended

Effective date: July 7, 1998

CHILD SUPPORT

Chapter 214 - Welfare Reform Technical Amendments

[Senate 7483-A by Senator Holland, et al.]

Makes technical and conforming amendments to the Welfare Reform Act of 1997 (Chapter 436 of the Laws of 1997). The amendments correct errors and omissions in the Welfare Reform Act of 1997 and conform the Social Services Law to the requirements of the Federal Balanced Budget Act of 1997 relating to assistance for aliens, the administration and implementation of the child support enforcement program and welfare reform.

NOTE: SEE PAGES 4 THROUGH 6 FOR STATUTES INVOLVED AND EFFECTIVE DATE.

Chapter 393 - Child Support Obligations

[Assembly 105-B by Assemblyman Hoyt, et al.]

Authorizes the Family Court to order a party to purchase, maintain or assign a life or accident insurance policy and to designate, as an irrevocable beneficiary, the individual on whose behalf a child support obligation has been established.

Statutes involved:

Family Court Act
Section 416, amended

Domestic Relations Law
Section 236, Part B, subd. 8, para. a, amended

Effective date: July 22, 1998

STATUTES INVOLVED

	<u>LAWS OF 1998</u> <u>CHAPTER NO.</u>	<u>PAGE IN THIS</u> <u>DIGEST</u>
CIVIL PRACTICE LAW AND RULES		
Section 5241, subd. (b), para. 2, amended	214	4-6 and 9
Section 5241, subd. (b), para. 3, amended	214	4-6 and 9
Section 5241, subd. (c), para. 1, amended	214	4-6 and 9
Section 5241, subd. (c), para. 2, amended	214	4-6 and 9
Section 5241, subd. (c), para. 2, subparas. (viii), (ix), (x) and (xi), added	214	4-6 and 9
Section 5241, subd. (g), para. 2, subpara. (D), amended	214	4-6 and 9
Section 5241, subd. (g), para. 3, amended	214	4-6 and 9
Section 5252, subd. 1, amended	214	4-6 and 9
DOMESTIC RELATIONS LAW		
Section 236, Part B, subd. 4, para. a, amended	214	4-6 and 9
Section 236, Part B, subd. 8, para. a, amended	393	9
Section 240, subd. 1, amended	214	4-6 and 9
Section 240-b, amended	214	4-6 and 9
ENVIRONMENTAL CONSERVATION LAW		
Section 11-0713, subd. 2, amended	214	4-6 and 9
FAMILY COURT ACT		
Article 5B, Part 6.C, sect. 580-613, sect. heading, amended	214	4-6 and 9
Section 154, subd. (b), added	214	4-6 and 9
Section 416, amended	214	4-6 and 9
Section 416, amended	393	9
Section 418, subd. (a), amended	214	4-6 and 9
Section 424-a, subd. (a), amended	214	4-6 and 9
Section 440, subd. 1, para. (b), amended	214	4-6 and 9
Section 443, amended	214	4-6 and 9
Section 454, subd. 2, para. (h), added	214	4-6 and 9
Section 532, subd. (a), amended	214	4-6 and 9
Section 545, subd. 1, amended	214	4-6 and 9
Section 571, subd. 10, amended	214	4-6 and 9
Section 571, subd. 11, added	214	4-6 and 9
Section 572, repealed	214	4-6 and 9
Section 573, repealed	214	4-6 and 9
Section 574, repealed	214	4-6 and 9
Section 580-204, amended	214	4-6 and 9
Section 580-307, subd. a, amended	214	4-6 and 9
Section 580-501, amended	214	4-6 and 9
Section 580-605, subd. (c), amended	214	4-6 and 9

Section 580-701, subd. (b), amended	214	4-6 and 9
Section 580-802, subd. (b), amended	214	4-6 and 9
Section 580-904, amended	214	4-6 and 9
Section 580-905, amended	214	4-6 and 9
 LABOR LAW		
Section 21, subd. 13, renumb. subd. 14	214	4-6 and 9
Section 596, subd. 3, para. (b), amended	214	4-6 and 9
Section 602, amended	214	4-6 and 9
 PUBLIC HEALTH LAW		
Section 4135-b, subd. 1, para. (a), amended	214	4-6 and 9
Section 4138, subd. 1, para. (e), amended	214	4-6 and 9
 SOCIAL SERVICES LAW		
Section 48, amended	204	8
Section 49, amended	204	8
Section 50, amended	204	8
Section 51, amended	204	8
Section 111-c, subd. 2, para. h, amended	214	4-6 and 9
Section 111-k, subd. 1, paras (a) and (b), amended	214	4-6 and 9
Section 111-n, subd. 3, paras. (a) and (b), amended	214	4-6 and 9
Section 111-u, subsd. 4 and 5, amended	214	4-6 and 9
Section 117, subd. 3, para. (a), amended	214	4-6 and 9
Section 122, subsd. 1 and 4, amended	214	4-6 and 9
Section 131, subd. 16, added	214	4-6 and 9
Section 131-a, subd. 8, para. (a), subpara. (iii), amended	214	4-6 and 9
Section 131-a, subd. 8, para. (c), amended	214	4-6 and 9
Section 131-n, subd. 1, amended	214	4-6 and 9
Section 131-o, subd, 1, paras. (a), (b), (c) and (d), amended	214 377	4-6 and 9 4-6 and 9
Section 131-z, subd. 6, amended	564	7
Section 132, subd. 4, paras. (a), (c) and (f), amended	214	4-6 and 9
Section 145-c, amended	214	4-6 and 9
Section 153, subd. 17, amended	214	4-6 and 9
Section 153-j, subsd. 2, 3 and 6, amended	214	4-6 and 9
Section 158, subd. 1, para. (f), amended	214	4-6 and 9
Section 159, subd. 2, amended	214	4-6 and 9
Section 159, subd. 11, added	214	4-6 and 9
Section 165, repealed and a new section 165, added	214	4-6 and 9
Section 209, subd. 1, para. (a), subpara. (iv), amended	214	4-6 and 9
Section 209, subd. 2, paras. (a) and (b), amended	58	4
Section 209, subd. 2, paras. (c), (d), (e), (f) and (g), amended	377	7
Section 210, subd. 1, amended	377	7
Section 212, subd. 1, opening para., amended	316	6

Section 212, subd. 2, amended	316	6
Section 212, subd. 3, repealed	316	6
Section 330, subd. 5, amended	214	4-6 and 9
Section 332, subd. 1, para. (c), amended	214	4-6 and 9
Section 332-b, subd. 2, para. (b), amended	214	4-6 and 9
Section 335, subd. 1, amended	214	4-6 and 9
Section 335-b, subd. 1, paras. (b) and (d), amended	214	4-6 and 9
Section 335-b, subsd. 2, 3 and 4, amended	214	4-6 and 9
Section 336, subd. 1, para. (h), amended	214	4-6 and 9
Section 336, subd. 7, amended	214	4-6 and 9
Section 349-b, subsd. 3 and 4, repealed	214	4-6 and 9
Section 350, subd. 2, amended	214	4-6 and 9
Section 366, subd. 1, para. (a), subpara. 1, amended	214	4-6 and 9
Section 366, subd. 1, para. (a), subpara. 8, amended	214	4-6 and 9
Section 366, subd. 1, para. (a), subpara. 10, amended	214	4-6 and 9
Section 410-v, subd. 2, amended	214	4-6 and 9
Section 410-w, subd. 1, paras. (a) and (b), amended	214	4-6 and 9
Section 410-w, subd. 3, amended	214	4-6 and 9
Section 410-x, subd. 3, amended	214	4-6 and 9
TAX LAW		
Section 171-a, subd. 4, amended	214	4-6 and 9
Section 171-h, subd. 4, paras. (e) and (f), amended	214	4-6 and 9
Section 697, subsect. (e), para. 3, amended	214	4-6 and 9
Section 697, subsect. (1), amended	214	4-6 and 9
VEHICLE AND TRAFFIC LAW		
Section 301, subd. (a), amended	429	7
UNCONSOLIDATED LAWS		
Chapter 81, Laws of 1995		
Section 246, subd. 19, amended	214	4-6 and 9
Chapter 398, Laws of 1997		
Section 36, amended	214	4-6 and 9
Section 148-a, added	214	4-6 and 9
Section 149, amended	214	4-6 and 9
Chapter 436, Laws of 1997		
Part B, sect. 1, amended	214	4-6 and 9
Part B, sect. 119, repealed	214	4-6 and 9
Part B, sect. 120, repealed	214	4-6 and 9
Part B, sect. 147, repealed	214	4-6 and 9
Part B, sect. 153, subsd. (a) and (i), amended	214	4-6 and 9
Part B, sect. 153, subd. (o), added	214	4-6 and 9

S U B J E C T I N D E X

	<u>L A W S O F 1 9 9 8</u> <u>C H A P T E R N O .</u>	<u>P A G E I N T H I S</u> <u>D I G E S T</u>
A		
Additional State payments, cost of living increase	377	7
Additional State payments, living alone and living with others	58	4
Additional State payments, State's assumption of responsibility, permanent extension	316	6
Aliens, public assistance eligibility	214	4-6 and 9
Assignment of insurance policy, child support	393	9
Automobiles, donated, inspection, welfare-to-work programs	429	7
C		
Child and spousal support	214	4-6 and 9
Child assistance program, eligibility	564	7
Child support, assignment of insurance, policy	393	9
Cooperation, paternity establishment	214	4-6 and 9
Cost of living increase, additional State payments	377	7
D		
Driver's licenses, suspension	214	4-6 and 9
H		
Health insurance, child support	214	4-6 and 9
Homelessness intervention program	204	8
I		
Inspection, donated automobiles, welfare-to-work programs	429	7
M		
Medical assistance eligibility child assistance program	564	7

P		
Paternity establishment, good cause	214	4-6 and 9
Personal needs allowance, standard of monthly need	377	7
Public assistance eligibility work requirements	214	4-6 and 9
S		
Standard of monthly need, personal needs allowance	58	4
Supplemental Security Income benefits additional State payments	58 377	4 7
W		
Welfare reform, technical and conforming amendments	214	4-6 and 9
Welfare-to-work programs, donated automobiles, inspection	429	7
Work requirements, public assistance eligibility	214	4-6 and 9