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Governor

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

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Informational Letter

Section 1

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Issuing Division/Office:	Legal Affairs
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Subject:	Digest of Laws of 2004 Relating to Programs of the Office of Temporary and Disability Assistance
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Attachments:	Digest of Laws
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Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
30 INF-36 03 INF-5 01 INF-28					

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Section 2

I. Purpose

To inform social services commissioners and others of the chapter laws of 2004 that affect public assistance programs.

II. Background

Each year, the Office of Legal Affairs issues an INF similar to this one.

III. Program Implications

None.

Issued By

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DIGEST OF LAWS OF 2004
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 2004 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

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TEMPORARY ASSISTANCE

Chapter 83 – Work Activities

[Senate 6358 by Senator Meier, et al.]

Extends from June 30, 2004 until June 30, 2006 the provisions of law that allow certain public assistance recipients to participate in work study and internship programs and have those hours of participation count toward the recipient's work activity.

Statutes involved:

Laws 2000, Chapter 534, sect. 5, amended

Effective date: May 18, 2004

Chapter 310 - Standard of Monthly Need, Personal Needs Allowance

[Assembly 11104 by the Committee on Rules]

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, 2004 and June 30, 2004 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, 2004

Chapter 380 – Education and Training Opportunities

[Senate 7279-A by Senator Meier]

Expands the education and training activities in which safety net participants without dependent children can participate for purposes of complying with public assistance work requirements.

Statutes involved:

Social Services Law

Section 335-b, subd. 2, amended

Effective date: May 17, 2004

Chapter 714 – Credit of Tax Refunds
[Senate 1823-A by Senator Meier, et al.]

Limits recoveries from tax refunds of debts for public assistance overpayments to 10 percent of the taxpayer's total refund if the taxpayer has applied for and is eligible for an earned income tax credit, unless the public assistance debt was incurred as a result of fraud for which a public assistance sanction has been applied.

Statutes involved:

Tax Law
Section 171-f, subd. 5, para (b-1), added

Effective date: November 24, 2004

CHILD SUPPORT

Chapter 336– Support Magistrates
[Assembly 7511-B by Assembly Member Weinstein, et al.,
at the request of the Office of Court Administration]

Changes the position of hearing examiners in child support matters to support magistrates.

Statutes involved:

Family Court Act
Section 439, subds. (a), (b) and (c), amended
Section 439, subd. (e), amended

Civil Practice Law and Rules
Section 2302, subd. (b), amended

Effective date: November 8, 2004

ADMINISTRATION

Chapter 463 – Immigrant Assistance Services
[Assembly 7137-B by Assembly Member McLaughlin, et al.]

Establishes requirements for the provision of immigrant assistance services.

Statutes involved:

General Business Law
Article 28-C, added

Effective date: November 1, 2004

Chapter 727 – Application Forms on the Internet

[Senate 1777 by Senator Trunzo]

Requires every State agency and State instrumentality to make the various application forms developed and distributed by the agency or instrumentality for public use available on the internet.

Statutes involved:

Executive Law
Section 164-d, added

Effective date: April 7, 2005.

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