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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

Transmittal:	06-INF-32
To:	Local District Commissioners
Issuing Division/Office:	Legal Affairs
Date:	October 27, 2006
Subject	Digest of Laws of 2006 Relating to Programs of the Office of Temporary and Disability Assistance
Suggested Distribution:	General Administrative Staff Family Court Judges Staff Support Coordinators
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Attachments:	Digest of Laws of 2006 Relating to Programs of the Office of Temporary and Disability Assistance
Attachment Available On – Line:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
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Section 2

I. Purpose

To inform social services commissioners and others of the chapter laws of 2006 that affect public assistance programs.

II. Background

Each year, the Office of Legal Affairs issues an INF similar to this one. Attached is the “Digest of Laws of 2006 Relating to Programs of the Office of Temporary and Disability Assistance.”

III. Program Implications

The Digest itself has no program implications.

Issued By _____

Name: John P. Bailly, Jr.

Title: General Counsel

Division/Office: Legal Affairs

**DIGEST OF LAWS OF 2006
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 2006 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 57- Cost of Living Adjustment

[Senate 6457-C by the Rules Committee]

Part C establishes a cost of living adjustment for designated human services programs.

Statutes involved:

Social Services Law

Section 209, para. (g) of subd. 2, amended

Section 131-o, para. (e) of subd. 1, amended

Effective date: April 1, 2006

**Chapter 58 – Enhanced EITC/Administrative Reimbursement/Maximization of
Work Rates**

[Assembly 9558-B by the Rules Committee]

Part I establishes an enhanced Earned Income Tax Credit for noncustodial parents who are current in their child support payments. Part J provides an enhanced administrative reimbursement to local social services districts that meet federally mandated work requirements; authorizes OTDA to maximize work rates by targeting the population of Safety Net families that are counted as Maintenance of Effort (MOE) spending.

Statutes involved:

Tax Law

Section 606, subsection (d-1), added

Social Services Law

Section 153, subd. 17 repealed and new subd. 17 added

Section 335-b, subd. 1, amended

Section 335-b, subd. 7, added

Section 159, subd. 12, added

Section 131-aa, amended

Effective date: Part I effective immediately. Part J effective April 1, 2006; provided, however, that provisions pertaining to work participation rate maximization are effective October 1, 2006; and provided further that provisions pertaining to additional reporting requirements are effective May 27, 2006.

Chapter 61 – Penalties for Noncompliance with Work Requirements
[Assembly 10653 by the Rules Committee]

Part D amends the Social Services Law in relation to penalties imposed for noncompliance with public assistance work requirements to add certain plain language notice requirements.

Statutes involved:

Social Services Law
Section 341, subd. 1, amended

Effective date: June 19, 2006

Chapter 96 - Notice of Release of Certain Sex Offenders
[Senate 7277 by Senator Johnson]

Requires the State Board of Parole to provide notice to the appropriate local social services district upon release, parole or release to post-release supervision of level 2 and 3 sex offenders; eliminates the duty of the Department of Correctional Services to provide such notice.

Statutes involved:

Executive Law
Section 259-c, subd. 16, added

Correction Law
Section 72-c, repealed

Effective date: Immediately and shall be deemed to have been in full force and effect on and after October 1, 2005.

Chapter 136 – Extension of Definition of Work Activities
[Senate 7041 by Senator Meier]

Extends to June 30, 2008 the definition of countable work activities to include work-study and internships and the requirement that local social services districts make reasonable efforts to assign work activities that do not conflict with a student's academic schedule.

Statutes involved:

Chapter 534 of the Laws of 2000, section 5, amended

Effective date: July 5, 2006 and shall expire June 30, 2008.

Chapter 179– Beginning date of the Vietnam War
[Assembly 6944 by Assemblyperson Aubertine et al.]

Changes the beginning date of the Vietnam War from December 22, 1961 to February 28, 1961 to coincide with the federal government date.

Statutes involved:

Social Services Law
Section 168, para. 7 of subd. 2, amended

Effective date: July 26, 2006

Chapter 515 – Increase in Standard of Need
[Senate 7641-A by Senator Meier]

Increases the standards of monthly need for aged, blind and disabled persons used to determine the mandatory state supplementation of federal supplemental security income.

Statutes involved:

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

Effective date: December 31, 2006

Chapter 109 –Parenting pilot programs
[Senate 8471 by the Rules Committee]

Part H permits pilot programs in up to five social services districts to be conducted to provide intensive employment and other supportive services including job readiness and job placement services to certain non-custodial parents.

Statutes involved:

Social Services Law
Section 335-c, added

Effective date: June 23, 2006

CHILD SUPPORT

Chapter 335 – Penalties for noncompliance with income execution for child support

[Senate 6753-A by Senator Volker]

Provides that the penalties assessed against employers and income payors for the failure to comply with income execution for child support and for discrimination against an employee involved in a child support proceeding shall be paid to the creditor and shall be enforced in the same manner as a civil judgment.

Statutes involved:

Civil Practice Law and Rules

Section 5241, subp. (D) of para. 2 of subd. (g), amended

Section 5252, subd. 1, amended

Effective date: October 24, 2006

Chapter 481 – Application for a Change of Name

[Senate 6619-A by Senator Duane et al.]

Requires a petitioner to disclose whether the petitioner is responsible for child support payments and whether the petitioner is responsible for spousal support payments in order to submit an application for a change of name.

Statutes involved:

Civil Rights Law

Section 61, subd. 1, amended

Section 64, closing para., amended

Effective date: August 16, 2006

ADMINISTRATION

Chapter 182 – Electronic Access to Public Records

[Assembly 7993-B by Assemblyperson Latimer et al.]

Provides for electronic access to public records.

Statutes involved:

Public Officers Law

Section 89, para. (b) of subd. 1 and subd. 3, amended

State Technology Law

Section 305, subd. 1, amended

Effective date: October 24, 2006

Chapter 492 – Court Costs for Freedom of Information Litigation
[Senate 7011-A by Senator DeFrancisco et al.]

Authorizes the request of the payment of court costs under certain conditions in Freedom of Information litigation.

Statutes involved:

Public Officers Law
Section 89, para. (c) of subd. 4, amended

Effective date: August 16, 2006

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