



January 2, 2024

The Honorable Kathy Hochul
Governor, New York State
NYS State Capitol Building
Albany, NY 12224

The Honorable Andrea Stewart-Cousins
Majority Leader, New York State Senate
188 State Street - Legislative Office Building, Room 907
Albany, NY 12247

The Honorable Carl Heastie
Speaker, New York State Assembly
188 State Street - Legislative Office Building, Room 932
Albany, NY 12248

Re: The Legal Aid Society's 2024 Statewide Civil Priorities

Dear Governor Hochul, Majority Leader Stewart-Cousins and Speaker Heastie,

As one of the primary organizations in New York City providing a myriad of critical legal services to New Yorkers, we write today concerning our 2024 statewide legislative priorities. Building on the successes recently enacted by Albany to address income inequality, poverty, homelessness, and tenant, immigrant and consumers issues, we urge you to swiftly advance the following pieces of legislation. If you have any questions, please do not hesitate to contact me. We look forward to working with you all in 2024 to make New York a fairer and more just city for our clients and the communities we serve.

Sincerely,

A handwritten signature in black ink that reads "Adriene Holder". The signature is written in a cursive, flowing style.

Adriene Holder
Chief Attorney
Civil Practice
The Legal Aid Society

CIVIL PRACTICE STATE LEGISLATIVE PRIORITIES 2024

HOUSING

- Pass “good cause” eviction legislation to bring renters’ rights to tenants in unregulated buildings (Hunter A.5573 /Salazar S.3082).

HOMELESS RIGHTS

- **Housing Access Voucher Program (Kavanagh S.2804A/Cymbrowitz A.3701A)** - create a state-wide Section 8 program.

PUBLIC BENEFITS

- **Increase Cash Assistance Now! Campaign** - includes:
 - **Basic Needs Increase** (A.5500 Rosenthal/S.5270 Persaud);
 - **Shelter Allowance Increase** (A.5543 Rosenthal/S.2982 Kavanagh);
 - **Personal Needs and Special Needs Increase;**
 - **Income and Resource Rules Changes that Benefit Low-Income Families with Work and Other Income.**
- **Empower New York City to Extend Benefits to New York Residents Regardless of Immigration Status (A.5513 Rosenthal/S.1631 Kavanagh).** See also – A.160 Cruz/S.2839 Persaud, which applies to municipalities throughout the state and extends to benefits generally, not just housing benefits.
- **Introduce new legislation that would ensure adequate help for non-citizens who need assistance. Some options include:**
 - revive the state-funded SNAP program (a prior version was called “SAP”);
 - enact legislation to enable immigrants with disabilities to access 100% federally- funded SNAP benefits;
 - consider legislative changes to reduce the risk of non-citizens being subjected to the harsh consequences of the public charge rule.
- **Promote Transparency and Battle Illegal Delays Keeping New Yorkers from Timely Receiving Federal SNAP and State Cash Assistance Benefits.** OTDA should be required to:
 - **maintain and publish on the agency website monthly data** on Application and Recertification timeliness, require corrective action plans to require districts to eliminate delays and publish these as well – along with progress reports;
 - **maintain and publish local district worker caseload ratios and salary data** in order to shed light on why districts are falling behind and identify possible solutions;
 - **maintain and publish a waiver database** listing all program waivers the agency has requested and received from the federal government as well as program waivers requested by local districts and received from OTDA – this will ensure that the operational rules for each benefit program are transparent;
 - **require OTDA to establish an Ombudsperson State Benefit Hotline** to troubleshoot benefit issues from New Yorkers throughout the state by following up with local districts.

HEALTH

- **Increase Funding for the Community Health Advocates Program to \$6.5 Million** – which is a statewide network that helps New Yorkers access health care by fighting coverage denials, resolving billing disputes, and helping people access affordable care and navigate health insurance.
- **Expand Essential Plan Coverage to Immigrants (Gonzalez-Rojas A.3020A/Rivera S.0320A).**
- **Repeal the SFY2020-2021 cuts to Medicaid home care that 1) impose discriminatory barriers to eligibility (S.328 Rivera) and 2) impose a lookback and transfer penalty.**
- **Bring greater equity to Medicaid eligibility for seniors and people with disabilities** – implement an across-the-board \$300,000 asset limit for all non-MAGI, followed by a full elimination of the asset limit.
- **Allow minors to consent to their health care (A.6761).**

EMPLOYMENT

- **Rights for All Workers Coalition (anti-misclassification) Employer Accountability Act (to be introduced by Gianaris and Reyes)** - would establish (1) a simplified test to determine employee status for most types of work, and (2) would add strong language concerning joint employer liability.
- **UI Scofflaw bill (to be introduced by Ramos and TBD)** - Would enhance DOL's powers to force companies that have been adjudicated employers under UI law (e.g., Uber and Lyft) to report wages and pay into the UI trust fund.
- **Temporary Disability Insurance and Paid Leave bill** (last session S.2821 (Ramos)/A.4053 (Joyner), will be amended this session.) - Would increase the amount of benefits available to people with temporary disabilities, provide job protection, expand protections under the existing paid family leave program.
- **Unemployment Bridge Program** (last session S.3192 (Ramos) /A.4821 (Reyes) - Would establish state-funded unemployment assistance program to provide support to groups of workers excluded from regular federally-regulated UI.
- **EmPIRE Worker Protection Act (Hoylman and Joyner)** - Would create a public enforcement action allowing workers, whistleblowers and unions to bring actions on behalf of the DOL.
- **SWEAT** - Internal negotiations ongoing on a path forward.
- **Increasing the maximum and minimum benefits; stabilizing the trust fund by increasing the taxable wage base**

IMMIGRATION

- **Fair Courts for Immigrant New Yorkers (Kavanagh S.5826/Cruz A.3057):** require criminal court judges provide a clear and accurate notification that there could be immigration consequences before entering any plea and ensure that immigrants are alerted to get advice they are entitled to from their attorneys.
- **The Dignity Not Detention Act (Reyes A.4354/Salazar S.306):** prohibit local governments from entering into, renewing, or continuing immigration detention contracts; stop localities in New York from profiting from the incarceration of immigrants in city or county jails.
- **The NY For All Act (Reyes A.02328/Salazar S.03076):** prohibits state and local law enforcement from questioning individuals regarding their citizenship or immigration status.
- **Access to Representation Act (Hoylman S. 999A/Cruz A.170):** increases immigration legal services funding and a right to a lawyer for any New Yorker facing deportation.

FAMILY/DV

- Opposed to Kyra's law
- Opposed to bill to add coercive control as a crime

FORECLOSURE

- **Consumer and Small Business Protection Act (CSPA) (A.2495A/Comrie S.6414)** - would include unfair and abusive acts under GBL 349's list of prohibited acts.
- **Making DFS Mortgage Servicing Regulations Enforceable A2428/S2143** - amend Banking Law 12-D and establish a private right of action for violations of the NYS Department of Financial Services (DFS) strong mortgage servicing regulations (Part 419).

CONSUMER

- **Impose a 16 percent interest rate cap on auto loans (Zebrowski A.819/ Sanders S.3237)**
- **Expansion of Chief Administrative Judge (CAJ) Authority to Institute E-filing** - Proposed Amendment to CPLR Article 21-A and other relevant statutes to expand current authority for the use of e-filing in the courts and permit the CAJ to institute e-filing in all the State's trial courts and in any class of cases
- **Hybrid Remote Court Proceedings in NYC Civil Court**

TAX

- **Provide for a simplified procedure for determining economic hardship in order to protect the rights of tax debtors facing a driver's license suspension.**