



Legislation Text

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By Council Members Dromm, Rodriguez, The Speaker (Council Member Mark-Viverito), Levin, Kallos, Koslowitz, Gibson, Gentile, Menchaca and Rosenthal

A Local Law to amend the New York city charter, in relation to expanding the office of immigrant affairs

Be it enacted by the Council as follows:

Section 1. Section 18 of the New York city charter is amended to read as follows:

§ 18 Office of immigrant affairs.

a. [The city recognizes that a large percentage of its inhabitants were born abroad or are the children of parents who were born abroad and that the well-being and safety of the city is put in jeopardy if the people of the city do not seek medical treatment for illnesses that may be contagious, do not cooperate with the police when they witness a crime or do not avail themselves of city services to educate themselves and their children. It is therefore desirable that the city promote the utilization of city services by all its residents, including foreign-born inhabitants, speakers of foreign languages and undocumented aliens.

b. In furtherance of the policies stated in subdivision a of this section, there] There shall be established in the executive office of the mayor an office of immigrant affairs. The office shall be headed by a director, who shall be appointed by the mayor. The director of the office of immigrant affairs shall have the power and the duty to:

1. advise and assist the mayor and the council in developing and implementing policies designed to assist immigrants and other foreign-language speakers in the city;

2. enhance the accessibility of city programs, benefits, and services to immigrants and foreign-language speakers by establishing citywide outreach programs in conjunction with agencies and council members to

inform and educate immigrant and foreign-language speakers of [such] relevant city programs, benefits, and services;

3. [manage a citywide list of translators and interpreters to facilitate communication between city agencies and foreign language speakers] perform policy analysis and make recommendations concerning immigrant affairs; and

4. perform such other duties and functions as may be appropriate to pursue the policies set forth in [subdivision a of] this section.

[c.] b. Any service provided by a city agency shall be made available to all aliens who are otherwise eligible for such service to the same extent such service is made available to citizens unless such agency is required by law to deny eligibility for such service to alien.

c. The director, or such other office or agency as the mayor may designate, shall have the power and the duty to:

1. conduct research and advise the mayor and council on challenges faced by immigrants and foreign-language speakers, including, but not limited to, obstacles to access to city programs, benefits, and services and socioeconomic trends;

2. establish, in consultation with the identifying information division, a state and federal affairs unit within the office to monitor and provide analysis and advice, including potential strategies for addressing such developments, to the mayor and the council on state and federal laws, policies, enforcement tactics, and case law regarding issues relating to and impacting immigrant affairs;

3. monitor and assess compliance with section 15 and chapter 12 of title 8, chapter 11 of title 21-a, and sections 9-131 and 14-154 of the administrative code;

4. consult with the civil justice coordinator and relevant city agencies in determining and meeting the legal service needs of immigrants, in accordance with section 13-b; and

5. collaborate with the identifying information division in developing policies to secure identifying

information of immigrants held by city agencies and those contracting with city agencies.

d. All city agencies shall cooperate with the office and provide information and assistance as requested; provided, however, no information that is otherwise required to be provided pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

e. No later than November 30, 2017, and each November 30 thereafter, the office shall provide to the speaker of the council and post on the office's website a report regarding the city's foreign-born population and the activities of the office during the previous twelve months, including, but not limited to:

1. the size and composition of foreign-born individuals, including, but not limited to demographic information, socio-economic markers, and estimates/projections of their immigration status, if any;

2. information regarding the needs of foreign-born individuals including, but not limited to, social services, legal services, housing, public benefits, education, and workforce development needs;

3. information regarding barriers foreign-born individuals face in accessing such services and recommendations on how the city could address such issues;

4. information regarding the foreign-born service population of relevant agencies, as determined by the office in consultation with the council, including, but not limited to the types of services received and duration of services;

5. the office's efforts to monitor agency efficacy in conducting outreach and serving foreign-born individuals; and

6. the efforts of the director, or such other office or agency as designated by the mayor, pursuant to subdivision c.

§ 2. This local law takes effect 60 days after it becomes law; provided, however, that within 180 days of the effective date of this local law, the director of the office of immigrant affairs, or such other office or agency

as designated by the mayor, shall provide the mayor and the council a report containing an analysis of the legal services needs of immigrants, as required by paragraph 4 of subdivision c of section 18 of the New York city charter, as added by section one of this local law.

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