Legislation Details (With Text)

File #:	Res 1472-2012	**Version:**	*	**Name:**	Amend the form that applicants complete to apply for public assistance and to require the sponsor of an immigrant to co-sign the application in order for the immigrant to apply for public assistance.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on General Welfare
On agenda:	8/22/2012				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon New York State to amend the form that applicants complete to apply for public assistance and to require the sponsor of an immigrant to co-sign the application in order for the immigrant to apply for public assistance.

Sponsors: Letitia James, Rosie Mendez, Deborah L. Rose, Melissa Mark-Viverito

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Attachments:

Date	Ver.	Action By	Action	Result
8/22/2012	*	City Council	Introduced by Council	
8/22/2012	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res No. 1472

Resolution calling upon New York State to amend the form that applicants complete to apply for public assistance and to require the sponsor of an immigrant to co-sign the application in order for the immigrant to apply for public assistance.

By Council Members James, Mendez, Rose and Mark-Viverito

Whereas, Section 212(a)(4) of the Immigration and Nationality Act ("the Act") bars the admission of any immigrant into the United States who is likely to become a public charge; and

Whereas, For any immigrant seeking admission or adjustment as a permanent resident of the United States whom the federal government deems likely to become a public charge, a sponsor must fill out Form I-864, which is an Affidavit of Support; and

Whereas, Form I-864 is a contract between the federal government and the sponsor, which indicates that the signatory understands what it means to be a sponsor for an immigrant, how his or her assets will be affected for taxation purposes, and when his or her obligations will end; and

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Whereas, The sponsor must prove that he or she has sufficient income or financial resources to assure the immigrant that he or she is sponsoring will not become a public charge while the immigrant is in the Unites States; and

Whereas, Under section 213 of the Act, if the immigrant becomes a public charge, the agency that provides assistance may be able to sue the sponsor to recover the cost of the assistance; and

Whereas, In New York State, public assistance is administered by the Office for Temporary and Disability Assistance ("OTDA") and in New York City the Human Resources Administration ("HRA") is the agency that provides assistance to eligible applicants; and

Whereas, In order to apply for public assistance in New York City applicants must fill out form LDSS-2921, the Common Application for Temporary Assistance, Medical Assistance, Food Stamp Benefits, and Child Care Assistance, which is a state form issued by OTDA; and

Whereas, The two major types of cash assistance available in New York State are Family Assistance and Safety Net Assistance; and

Whereas, On July 1, 2012 HRA began issuing public assistance recoupment letters for the first time in order to recover Safety Net Assistance payments from immigrant sponsors; and

Whereas, However, there was no change to LDSS-2921 notifying sponsors that HRA will now recover this money if the immigrant receives Safety Net Assistance; and

Whereas, In order to ensure that sponsors in New York City are aware that HRA is now enforcing this practice, OTDA should amend LDSS-2921 and have the sponsors co-sign the application, which should state that if an immigrant becomes a public charge and receives Safety Net Assistance, HRA will recover the payments from his or her sponsor; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State to amend the form that applicants complete to apply for public assistance and to require the sponsor of an immigrant to co-sign the application in order for the immigrant to apply for public assistance.

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8/8/12