



Legislation Text

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Int. No. 739

By Council Members Ayala, Rivera, Louis, Restler, Brewer and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to reports on the response to asylum seeker arrivals and requiring the use of budget codes for funding associated with the response to asylum seeker arrivals

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Adult family. The term “adult family” means a family as defined by subdivision e of section 491.2 of title 18 of the New York codes, rules and regulations, or any successor provision.

Budget code. The term “budget code” means a 4-character code assigned to a schedule within an agency which identifies the allocation made in such schedule in terms of its accounting fund class, unit of appropriation, responsibility center, control category, local service district and program.

Temporary housing facility type. The term “temporary housing facility type” means whether the facility is emergency congregate housing, a shelter, a hotel, or any other form of temporary housing.

Family with children. The term “family with children” means a family as defined by section 900.2 of title 18 of the New York codes, rules and regulations, or any successor provision.

Gender identity. The term “gender identity” means a person’s sense of their own gender which may be the same as or different from their sex assigned at birth.

Emergency congregate housing. The term “emergency congregate housing” means any location operated by an agency or a provider under contract or similar agreement with an agency, except for any location

operated by the department of social services or provider under contract or similar agreement with the department of social services, where individuals and families reside for more than 96 hours and where such individuals and families sleep in a congregate setting with shared facilities including sleeping quarters and bathrooms.

Object code. The term “object code” means a 3-character code which classifies expenditures pursuant to the chart of accounts issued by the comptroller of the city of New York.

Per diem cost. The term “per diem cost” means an aggregate cost of all services provided, including but not limited to food, rent, housing, laundry, agency staff salaries, social services, medical services, security services, staff overtime, and language access services, divided by number of households and days.

Population type. The term “population type” means whether the population consists of single adults, adult families, or families with children.

Provider. The term “provider” means a not-for-profit organization under contract or similar agreement with the department of social services.

Shelter. The term “shelter” means a building, or individual units within a building, utilized by the department of social services or by a provider under contract or similar agreement with the department of social services.

Single adult. The term “single adult” means an adult without an accompanying adult or child.

b. Reports on the response to asylum seekers. No later than April 10, 2024, and monthly thereafter on the tenth of the month until April 10, 2029, the commissioner of social services or another commissioner designated by the mayor, in consultation with the emergency management department, the department of housing preservation and development, the New York city health and hospitals corporation, the department of citywide administrative services, department of information technology and telecommunications, and any other agency involved in response to asylum seekers, shall submit to the mayor and the speaker of the council the following reports containing information on the asylum seeker population arriving in the city of New York.

1. Expense report. The expense report on the response to asylum seekers shall include a table in which each separate row references a category of expenditure related to the response to asylum seeker arrivals, including, but not limited to, food, rent, laundry, agency staff salaries, social services, medical services, security services, staff overtime, and language access services for the preceding month. Each row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) The agency responsible for the expenditure;
- (b) The current budgeted amount for the expenditure for the fiscal year;
- (c) The cumulative amount spent to date on the expenditure for the fiscal year;
- (d) The relevant units of appropriation of the expenditure;
- (e) The budget codes applicable to the funding for the expenditure;
- (f) The object codes applicable to the funding for the expenditure; and
- (g) The revenue source identification number, the funding type, and the funding source description for the expenditure

2. Contracts report. The contracts report on the asylum seeker response shall include a table in which each separate row references a unique contract related to the response to asylum seeker arrivals, including those administered by an agency and including any subcontracts, which was active in the preceding month. Each row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) The entity administering the contract;
- (b) The contract identification number;
- (c) The name of the contractor;
- (d) The contracted goods or services;
- (e) The agencies benefiting from the contracted goods or services;

- (f) The type of procurement method of the contract;
- (g) The contracted value;
- (h) The terms of the contract, including length of contract;
- (i) The relevant units of appropriation; and
- (j) The relevant budget codes.

3. Temporary housing report. The temporary housing report for the response to asylum seeker arrivals shall include a table where each combination of facility type and population type is represented by a row. Each row shall include the following information regarding the preceding month, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) The agency responsible for the temporary housing;
- (b) The number of operational sites of such combination of facility type and population type;
- (c) The number of individuals served at such combination of facility type and population type;
- (d) The number of households served at such combination of facility type and population type;
- (e) The number of individuals who have exited such combination of facility type and population type;
- (f) The number of households who have exited such combination of facility type and population type;
- (g) The actual per diem cost of such combination of facility type and population;
- (h) The expense categories included in the actual per diem cost; and
- (i) The projected per diem cost utilized to determine the current projected budget.

4. Immigration application status report. The immigration application status report shall include a table in which each separate row is the total number of applications that have been submitted with the office of asylum seekers operations or any successor office in the preceding month. The table shall include the number of applications submitted, accepted, rejected for administrative reasons, and denied, for all of the following categories of applications, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) The number of asylum applications;
- (b) The number of temporary protected status applications;
- (c) The number of special immigrant juvenile adjustment applications;
- (d) The number of applications for forms of relief not listed in subparagraphs (a)-(c) of this paragraph;

and

- (e) The number of applications for employment authorization.

5. Immigration application appointments report. The immigration status report shall include a table in which each separate row references the number of appointments scheduled with the office of asylum seekers operations or any successor office in the preceding month. Each row shall include the following categories of applicants, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) The number of appointments completed;
- (b) The number of appointment requests by asylum seekers for that month or a future month;
- (c) The number of appointments in which an individual had previously had an appointment with the

office; and

- (d) The number of appointments that included a referral to a legal service provider due to the complexity of the legal issues or for any other reason.

6. Demographic report. The demographic report shall include a table regarding the asylum seekers who have arrived in the city of New York since April 1, 2022, in which each separate row references a unique individual asylum seeker. Each row shall include the following information for each individual, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- (a) A unique and anonymous identification code corresponding to the individual about whom information is reported, that remains attributable to the same individual over time;

- (b) A unique and anonymous identification code corresponding to the household such individual is part

of that remains attributable to the same individual over time;

- (c) The month and year of arrival of the individual;
- (d) The age of the individual in years at time of arrival;
- (e) The gender identity of the individual;
- (f) The languages spoken by the individual;
- (g) The country of origin of the individual;
- (h) The race of the individual;
- (i) The ethnicity of the individual;
- (j) The highest level of education received by the individual; and
- (k) The occupational background of the individual.

c. Retroactive reports. No later than April 1, 2024, to the extent practicable, the commissioner of social services or another commissioner designated by the mayor shall submit to the mayor and the speaker of the council retroactive reports containing the information required by paragraphs 1 to 5 of subdivision b of this section, for each month preceding the first report submitted as required by subdivision b of this section, through April 2022. Such reports shall be in the formats required by paragraphs 1 to 5 of subdivision b of this section, respectively.

d. No report required by this section shall contain personally identifiable information.

e. The information contained in the reports required by this section shall be published in a searchable, sortable, and machine-readable format.

§ 2. Chapter 4 of title 5 of the administrative code of the city of New York is amended by adding a new section 5-511 to read as follows:

§ 5-511 Funding associated with the asylum seeker response. a. Definitions. For purposes of this section, the term “budget code” means a 4-character code assigned to a schedule within an agency which identifies the allocation made in such schedule in terms of its accounting fund class, unit of appropriation, responsibility center,

control category, local service district and program.

b. The agencies shall utilize budget codes starting with the letter “M” for all funding associated with the response to asylum seeker arrivals. Such budget codes shall not be used for funding for any other functions or programs.

§ 3. This local law takes effect immediately.

JGP

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