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Int. No. 248

By Council Members Hudson, Restler, Won, De La Rosa, Louis, Brewer, Hanif, Epstein, Maloney, Thomas-Henry, J. Sanchez, Cabán, Avilés, Narcisse and Wong

A Local Law to amend the administrative code of the city of New York, in relation to automatic enrollment of eligible individuals in city-created benefit programs

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-153 to read as follows:

§ 21-153 Automatic enrollment in city-created benefit programs. a. Definitions. For purposes of this section, the following terms have the following meanings:

City-created benefit program. The term "city-created benefit program" means any program created by the city and administered by the commissioner that provides assistance or benefits to eligible individuals.

Designated citywide languages. The term "designated citywide languages" has the same meaning as set forth in section 23-1101.

Eligible individual. The term "eligible individual" means any individual who meets the eligibility criteria for a city-created benefit program as determined by the commissioner.

b. Establishment of automatic enrollment system. 1. The commissioner shall establish and maintain a system to provide automatic enrollment in city-created benefit programs to eligible individuals, without such individuals having to initiate enrollment.

2. The commissioner shall use the most up-to-date records, including but not limited to the most recently available tax records and social services assistance rolls, in order to identify eligible individuals in

connection with such system.

3. When providing automatic enrollment through such system, the commissioner shall require authorization or additional information from, or other action on the part of, an eligible individual if such authorization, information, or action is required as a term of an applicable city-created benefit program.

c. Notice. The commissioner shall provide an individualized notice to each eligible individual of automatic enrollment through the system required under subdivision b of this section. Such notice shall include:

1. A description of the applicable city-created benefit programs;

2. Any costs associated with participation in the applicable city-created benefit programs;

3. How to utilize the opt-out mechanism required under subdivision d of this section; and

4. Where applicable, the steps necessary to complete automatic enrollment.

d. Opt-out mechanism. The commissioner shall provide an opt-out mechanism through the system required under subdivision b of this section, allowing eligible individuals to decline automatic enrollment through such system. The commissioner shall:

1. Provide such opt-out mechanism at the time the commissioner provides the notice required under subdivision c of this section; and

2. Provide such opt-out mechanism in plain and simple language and in an accessible and conspicuous manner.

e. Accessibility. The commissioner shall make the system required under subdivision b of this section, including the notice required under subdivision c of this section and the opt-out mechanism required under subdivision d of this section, available in the designated citywide languages.

f. Rules. The commissioner shall promulgate rules necessary for the implementation of this section.

§ 2. This local law takes effect 120 days after it becomes law.JL

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