



2024 State Legislative Update: Elder Law and Special Needs Section

We've come to the end of the 2024 Legislative Session, with several actions taken by the Legislature that may be of interest to your section. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the section in support or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the section as we move into the second half of 2024.

Legislation of interest

- A5485-A(Paulin)/S5472-A(Rivera): Expands protections regarding violations of safety conditions in adult care facilities. This bill did not pass either house this session.
- A6346(Paulin)/S328(Rivera): Relates to eligibility for home care services under Medicaid; repealer. This bill was advanced to third reading in the Senate but did not move in the Assembly.
- S3503-A(Skoufis)/A7708-A(Zebrowski): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill was advanced to third-reading and committed to the Rules committee in the Senate but did not move in the Assembly.
- S5470(Rivera): No same as; Provides for eligibility for medical assistance for personal care services for persons with traumatic brain injury, developmental disability, cognitive impairments, blindness, or visual impairment.
- A7467(Paulin)/S466(Sepulveda): Relates to the use of psychotropic medications in nursing homes and adult care facilities. This bill was advanced to third reading in the Assembly but did not move in the Senate.
- A7708(Zebrowski)/ S3503-A(Skoufis): Relates to requiring principals to notify co-trustees and co-beneficiaries of the signing of a power of attorney. This bill was advanced to third reading in the Senate but did not move in the Assembly.
- S2125(Rivera): Relates to the definition of the "look-back" period for the determination of eligibility of an individual for medical assistance benefits. This bill has no same-as and did not move in the Senate.
- A5917(Dinowitz)/S5642(Mannion): Relating to notice of a tax exemption for persons with disabilities and limited incomes. This bill passed the Senate but did not move in the Assembly.
- A8401(Kim)/S714(Cleare): Enacts the "independent senior housing resident freedom of choice act" to authorize persons in independent housing to receive services they could get at home. This bill did not move in either house.

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UPDATE

- A8470(Paulin)/S7800(Rivera): Relates to long term care options for Medicaid recipients; repealer. This bill did not move in either house.

NYSBA saw a number of bills supported by Association policy pass in both houses this session, including:

- Among NYSBA's legislative priorities for 2024 was the passage of [A7241-A\(Lavine\)/S8663\(Hoylman-Sigal\)](#), a bill which would exempt non-electronic notarial acts from the record-keeping rules and regulations set forth by the Department of State.
- [S895-B/A6789-B](#), a bill which requires disclosure of certain social media terms of service. This bill was supported by the Task Force on Combatting Antisemitism and Anti-Asian Hate's [Report](#), adopted by NYSBA's House of Delegates in January 2024.
- [S7524/A10350](#), a bill which would expand current authority for the use of e-filing in the courts. This bill was supported by Committee on Court Structure and Operations' [2012 Report](#) along with the [2023 Report](#) by the Task Force on the Modernization of Criminal Practice.
- [S206-A/A1432-A](#), a bill which removes the lifetime ban on jury duty for convicted felons. This bill is supported by the Task Force on Racism, Social Equity and the Law's [2023 Report](#).
- [S7567-A/A9143](#), a bill to ensure state-paid judges and justices receive death benefits even if they were not retired by the time of their death. [A resolution](#) was adopted by the Association in 2015 to support this policy.
- [S5414/A5366](#), a concurrent resolution to remove the current constitutional cap on the number of supreme court justices, allowing the legislature to set the number of judges as they do for every other court. The Committee on the New York State Constitution supported this issue in their 2017 [Report on the Judiciary Article of the NYS Constitution](#).
- [S9839/A10540](#), a bill which increases the number of Family Court judges throughout the state as well as increases the number of judges of the Civil Court of the City of New York. The Committee on Family and the Law's [2022 Report](#) supports this policy.