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I N S E N A T E

May 12, 2016

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to establishing a program for financial transitional living services for foster children

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The social services law is amended by adding a new section  
2 393 to read as follows:

3 S 393. PROGRAM FOR FINANCIAL TRANSITIONAL LIVING SERVICES FOR FOSTER  
4 CHILDREN. 1. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ESTABLISH  
5 A PROGRAM TO ASSIST FOSTER CHILDREN IN THE CARE, CUSTODY OR GUARDIANSHIP  
6 OF AN AUTHORIZED AGENCY TO ACHIEVE FINANCIAL SECURITY AND INDEPENDENCE  
7 AS THE CHILDREN TRANSITION TO INDEPENDENT LIVING.

8 2. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ENTER INTO AN  
9 AGREEMENT WITH FINANCIAL INSTITUTIONS TO ESTABLISH INDEPENDENT DEVELOP-  
10 MENT SAVINGS ACCOUNTS FOR FOSTER CHILDREN OVER THE AGE OF SIXTEEN IN THE  
11 STATE. THE AGREEMENT MUST:

12 (A) PROHIBIT A FOSTER CHILD FROM WITHDRAWING MONEY FROM THE SAVINGS  
13 ACCOUNT UNTIL THE EARLIER OF:

14 (I) THE FIRST ANNIVERSARY OF THE DATE THE FIRST DEPOSIT IS MADE INTO  
15 THE SAVINGS ACCOUNT; OR

16 (II) THE DATE THE BALANCE IN THE SAVINGS ACCOUNT FIRST EQUALS OR  
17 EXCEEDS TWO THOUSAND DOLLARS;

18 (B) AUTHORIZE A FOSTER CHILD TO WITHDRAW MONEY FROM THE SAVINGS  
19 ACCOUNT ONLY IN PERSON AT THE FINANCIAL INSTITUTION;

20 (C) PROVIDE THAT THE BALANCE IN THE SAVINGS ACCOUNT MAY NOT EXCEED TWO  
21 THOUSAND DOLLARS AND ESTABLISH PROCEDURES FOR THE TRANSFER OR WITHDRAWAL  
22 OF THE AMOUNT OF MONEY THAT EXCEEDS TWO THOUSAND DOLLARS WHEN NECESSARY;

23 (D) REQUIRE THE OFFICE OF CHILDREN AND FAMILY SERVICES AND THE FINAN-  
24 CIAL INSTITUTION TO WORK TOGETHER TO ENCOURAGE THE FOSTER CHILDREN  
25 PARTICIPATING IN THE PROGRAM TO OPEN PRIVATE SAVINGS ACCOUNTS ONCE THE  
26 PARTICIPANTS ARE NO LONGER ELIGIBLE FOR FOSTER CARE SERVICES; AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 (E) ESTABLISH PROCEDURES TO TRANSFER OWNERSHIP AND CONTROL OF THE  
2 ACCOUNT TO THE PARTICIPANTS EXITING THE PROGRAM WHO ARE NO LONGER ELIGI-  
3 BLE FOR FOSTER CARE SERVICES.

4 3. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SEEK TO PARTNER  
5 WITH OTHER PUBLIC AND PRIVATE ENTITIES TO MATCH THE AMOUNTS OF MONEY  
6 DEPOSITED INTO THE FOSTER CHILDREN'S INDEPENDENT DEVELOPMENT SAVINGS  
7 ACCOUNTS UNDER THE PROGRAM. THE MATCHING FUNDS MUST BE DEPOSITED DIRECT-  
8 LY INTO THE CHILD'S SAVINGS ACCOUNT.

9 4. (A) THE OFFICE OF CHILDREN AND FAMILY SERVICES AND THE PUBLIC OR  
10 PRIVATE ENTITIES SELECTED AS PARTNERS UNDER SUBDIVISION THREE OF THIS  
11 SECTION SHALL JOINTLY ESTABLISH INCENTIVES TO PROVIDE FINANCIAL REWARDS  
12 TO FOSTER CHILDREN FOR ACTIONS PERFORMED BY THE CHILDREN, INCLUDING, BUT  
13 NOT LIMITED TO, COLLEGE VISITS OR ATTENDANCE AT FINANCIAL LITERACY AND  
14 INDEPENDENT LIVING CLASSES.

15 (B) FOSTER CHILDREN PARTICIPATING IN THE PROGRAM SHALL BE REQUIRED TO  
16 ATTEND FINANCIAL LITERACY AND INDEPENDENT LIVING CLASSES. SUCH CLASSES  
17 MAY INCLUDE, BUT NEED NOT BE LIMITED TO INSTRUCTION ON USING CHECKING  
18 AND SAVINGS ACCOUNTS, SECURING A LOAN FOR HIGH COST ITEMS SUCH AS A  
19 MOTOR VEHICLE OR A HOME, OBTAINING AND USING CREDIT AND DEBIT CARDS,  
20 INVESTING AND SAVING MONEY, APPLYING TO POST-SECONDARY EDUCATION  
21 PROGRAMS, AND SECURING HOUSING AND EMPLOYMENT. ATTENDANCE AND ACTIVE  
22 PARTICIPATION IN SUCH CLASSES SHALL ENTITLE FOSTER CHILDREN TO THE  
23 FINANCIAL INCENTIVES ESTABLISHED UNDER PARAGRAPH (A) OF THIS SUBDIVI-  
24 SION.

25 5. MONEY THAT MAY BE DEPOSITED IN A FOSTER CHILD'S SAVINGS ACCOUNT  
26 ESTABLISHED UNDER THIS SECTION INCLUDES:

27 (A) MONEY EARNED BY THE CHILD THROUGH EMPLOYMENT OR ALLOWANCE;

28 (B) GIFT MONEY;

29 (C) MONEY DEPOSITED BY THE CHILD'S FOSTER PARENT OR BY A PARENT OR  
30 OTHER RELATIVE OF THE CHILD;

31 (D) MONEY RECEIVED FROM PUBLIC OR PRIVATE ENTITIES SELECTED AS PART-  
32 NERS UNDER SUBDIVISION THREE OF THIS SECTION AS FINANCIAL INCENTIVES OR  
33 MATCHING FUNDS; AND

34 (E) OTHER MONEY AUTHORIZED UNDER THE DEPARTMENT'S AGREEMENT WITH THE  
35 CREDIT UNION.

36 6. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SURVEY EACH FOSTER  
37 CHILD WHO ENTERS AND EXITS THE PROGRAM. THE SURVEY MUST BE DESIGNED TO  
38 ASSESS ANY CHANGES IN THE CHILD'S ATTITUDES, PERCEPTIONS, AND KNOWLEDGE  
39 ABOUT FINANCIAL MATTERS AND INDEPENDENT LIVING FROM THE TIME THE CHILD  
40 ENTERED THE PROGRAM UNTIL THE CHILD EXITED THE PROGRAM.

41 7. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL COMPLETE NO LATER  
42 THAN DECEMBER THIRTY-FIRST, TWO THOUSAND EIGHTEEN, AND ANNUALLY THERE-  
43 AFTER, AN EVALUATION OF THE PROGRAM.

44 8. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SUBMIT A REPORT ON  
45 THE EVALUATION OF THE PROGRAM CONDUCTED UNDER SUBDIVISION SEVEN OF THIS  
46 SECTION NO LATER THAN APRIL FIRST, TWO THOUSAND NINETEEN, AND ANNUALLY  
47 THEREAFTER, TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE AND  
48 SPEAKER OF THE ASSEMBLY.

49 S 2. This act shall take effect on the ninetieth day after it shall  
50 have become a law; provided, however, that effective immediately, the  
51 addition, amendment and/or repeal of any rule or regulation necessary  
52 for the implementation of this act on its effective date are authorized  
53 and directed to be made and completed on or before such effective date.