

STATE OF NEW YORK

1160--C

2021-2022 Regular Sessions

IN ASSEMBLY

January 7, 2021

Introduced by M. of A. BRONSON, BARRON, CLARK, COOK, CRUZ, CUSICK, ENGLEBRIGHT, EPSTEIN, FAHY, PERRY, SEAWRIGHT, SIMON, WOERNER, MEEKS, JENSEN, JACKSON, MITAYNES, LUNSFORD, RAMOS, RICHARDSON, AUBRY, GONZALEZ-ROJAS, GOTTFRIED, ANDERSON, WALLACE, FRONTUS, REYES, BRAUNSTEIN, DINOWITZ, McDONALD, HUNTER, WEPRIN, JEAN-PIERRE, DARLING, GUNTHER, SMITH, DAVILA, HEVESI, COLTON, RA -- read once and referred to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reference changed to the Committee on Social Services -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to establishing an advisory council to effectuate a reduction in child poverty in the state; and providing for the repeal of such provisions upon expiration thereof

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
2 131-zz to read as follows:

3 § 131-zz. Child poverty reduction. 1. Legislative findings. The
4 legislature hereby declares that New York should take any steps neces-
5 sary to reduce the overall child poverty rate by fifty percent in the
6 next ten years. Nearly three million New Yorkers are living in poverty,
7 eight hundred ninety-five thousand of which are children. In fact, one
8 in five New York children struggle to meet basic needs, and although
9 several efforts have been undertaken, the overall poverty rate in New
10 York has failed to see a reduction over the last decade. The legislature
11 finds that reducing child poverty will protect the health and general
12 well-being of all New Yorkers. To effectuate this reduction, the child

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

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1 poverty reduction advisory council shall be established to research
2 policy ideas, develop best practices, and continually monitor relevant
3 benchmarks to ensure that New York continues to work towards reducing
4 child poverty by fifty percent in ten years.

5 2. Child poverty reduction advisory council established. (a) To effec-
6 tuate a reduction in child poverty in the state, there is hereby estab-
7 lished an advisory council, to be known as the "child poverty reduction
8 advisory council", hereafter referred to as the "advisory council". The
9 advisory council shall carry out the required acts set forth in subdivi-
10 sion four of this section.

11 (b) The members of the advisory council shall be chaired by a repre-
12 sentative of the executive chamber and the commissioner of the office of
13 temporary and disability assistance, or their designees. Ensuring
14 adequate geographic representation, members of the advisory council
15 shall be appointed in the following manner:

16 (i) two members shall be appointed by the temporary president of the
17 senate;

18 (ii) two members shall be appointed by the speaker of the assembly;

19 (iii) two members shall be appointed by the commissioner of the office
20 of temporary and disability assistance;

21 (iv) at least one member shall be appointed by the governor from each
22 of the following entities:

23 (1) the office of children and family services;

24 (2) the New York state council on children and families;

25 (3) the department of taxation and finance;

26 (4) a regional economic development council;

27 (5) a statewide non-profit poverty advocacy organization; and

28 (6) a non-profit organization with a focus on poverty issues; and

29 (v) two individuals who are directly impacted by poverty in the state.

30 (c) The members of the advisory council shall receive no compensation
31 for their services but shall be allowed their actual and necessary
32 expenses incurred in the performance of their duties.

33 (d) The advisory council shall convene within sixty days after the
34 effective date of this section. A quorum shall consist of a majority of
35 the members of the advisory council entitled to vote on the matter under
36 consideration. Approval of any matter shall require the affirmative vote
37 of a majority of the members voting thereon. The advisory council shall
38 adopt by-laws for the management and regulation of its affairs, includ-
39 ing the creation of committees and subcommittees to effectuate the work
40 required.

41 3. Appointments to the advisory council. (a) Appointments to the
42 advisory council shall be made no later than forty-five days after the
43 effective date of this section.

44 (b) If any such appointment is not made by such date, the appointing
45 official may make the appointment after that date, but such vacant
46 appointment shall not count for the calculation of a quorum until such
47 vacancy is filled.

48 (c) Any vacancies in the advisory council shall be filled in the same
49 manner as the original appointment was made.

50 4. Policy proposal review and recommendations. The advisory council
51 shall:

52 (a) develop and publish a timeline, inclusive of yearly benchmarks,
53 for reducing child poverty in the state by fifty percent in ten years.
54 Such timeline shall be made publicly available.

55 (b) consider policy proposals that shall include, but not be limited
56 to, the following proposals and release a report outlining the effect

1 that the enactment of such proposals may have on the rate of childhood
2 poverty in New York:

3 (i) expanding and strengthening the state's earned income tax credit
4 to align with the state's minimum wage to cover individual taxpayer
5 identification number filers and young, childless adults and to be paid
6 out quarterly;

7 (ii) expanding and strengthening the state's child tax credit to
8 include young children, and to eliminate the minimum income threshold;

9 (iii) expanding work training and employment programs in the state;

10 (iv) expanding access to subsidized housing; and

11 (v) expanding access to subsidized child care.

12 (c) investigate the effects that each of the proposals listed in para-
13 graph (b) of this subdivision may have if enacted by itself, as well as
14 the effect the proposals may have if enacted in conjunction with the
15 other proposals. The advisory council shall include the cost to the
16 state related to the implementation of such policies, as well as the
17 projected savings in both the short and long term that the state could
18 realize by reducing poverty.

19 (d) review agency programs that can be modified, suspended, or other-
20 wise changed to immediately reduce the child poverty rate.

21 (e) deliver to the governor, the speaker of the assembly and the
22 temporary president of the senate, reports containing the timeline
23 required pursuant to paragraph (a) of this subdivision, the review of
24 the policy proposals required pursuant to paragraph (b) of this subdivi-
25 sion, the investigation of the effects of such policies pursuant to
26 paragraph (c) of this subdivision and the review of agency programs
27 required pursuant to paragraph (d) of this subdivision on or before six
28 months from the effective date of this section.

29 (f) develop recommendations for additional policies and procedures to
30 reduce the state's child poverty rate by fifty percent in ten years from
31 the effective date of this section. In developing such policies and
32 procedures, the advisory council shall consider:

33 (i) the disproportionate impact poverty may have on various racial
34 and ethnic communities and what policies may assist in alleviating such
35 disparities;

36 (ii) ways to improve access to public benefits for individuals regard-
37 less of their immigration status;

38 (iii) policies that assist families to obtain and maintain financial
39 stability, including policies that assist individuals with educational
40 advancements as well as securing employment that provides a living wage;
41 and

42 (iv) any other factors that may impact a family, parent, or child's
43 ability to stay above the poverty level, including, but not limited to:

44 (1) stability and predictability of income;

45 (2) equitable and ready access to programs;

46 (3) equitable treatment across racial, immigration and ethnic groups;

47 (4) positive environmental conditions;

48 (5) the individual health and well-being of the parents and children;

49 and

50 (6) the cost to the state, including the short-term costs of the
51 programs and the long-term savings from having such programs in place.

52 (g) deliver to the governor, the speaker of the assembly and the
53 temporary president of the senate the recommendations of the advisory
54 council as required pursuant to paragraph (f) of this subdivision on or
55 before one year after the effective date of this section.

1 (h) release bi-annual reports starting June first, two thousand twen-
2 ty-two, detailing the progress that the state has made in reducing the
3 child poverty rate in line with the recommendations set forth in this
4 subdivision.

5 (i) collaborate with experts in the field of poverty research, utilize
6 available data from other relevant statewide studies of poverty, and
7 solicit input from stakeholder interests including, but not limited to
8 persons impacted by poverty, non-profit organizations that assist those
9 living in poverty, individuals or organizations that work to end racial
10 disparities in New York, and child poverty advocacy organizations. The
11 advisory council shall also conduct formal public hearings, which shall
12 take place in at least four regions of the state, as defined by the
13 empire state development corporation, and shall be offered during non-
14 traditional hours to allow for persons unable to normally testify due to
15 work requirements to so testify.

16 5. Implementation of recommendations. The legislature may utilize
17 recommendations provided to prioritize the implementation of programs
18 and services, as they deem appropriate, that would facilitate the goals
19 of reducing child poverty by fifty percent over the next ten years from
20 the effective date of this section.

21 6. Budget proposal review. No later than ten days after the governor
22 offers any amendments to the executive budget submission pursuant to
23 article seven of the constitution, the advisory council shall submit to
24 the chairs of the senate finance committee and the assembly ways and
25 means committee, a report analyzing the proposals contained within the
26 executive budget submission that are expected by the advisory council to
27 impact the child poverty rate.

28 7. Advisory council staff and agency liaison. (a) The commissioner of
29 the office of temporary and disability assistance shall designate such
30 employees of the office of temporary and disability assistance as are
31 reasonably necessary to provide support services to the advisory coun-
32 cil. The advisory council, acting by the chair of the advisory council,
33 may employ additional staff and consultants, who shall be paid from
34 amounts made available to the advisory council for such purpose.

35 (b) All state agencies, public authorities, and public benefit corpo-
36 rations shall provide such assistance as may be reasonably requested by
37 the chair of the advisory council. Provided however, any information
38 provided shall be kept confidential and shall be used only for the
39 specific purpose of effectuating the duties of the council.

40 8. Deliberations of the advisory council. The deliberations, meetings
41 and other proceedings of the advisory council and any committee or
42 subcommittee thereof shall be governed by article seven of the public
43 officers law. Any one or more members of a committee or subcommittee may
44 participate in a meeting of such committee or subcommittee by means of a
45 conference telephone, conference video or similar communication or elec-
46 tronic communication, provided that such communication allows all
47 persons participating in the meeting, and all persons observing the
48 meeting, including members of the public, to hear each other at the same
49 time. Participation by such means shall constitute presence at a meet-
50 ing. If a meeting other than an executive session is to be conducted by
51 means of a conference telephone, conference video or similar communi-
52 cation or electronic communication, the public notice for such meeting
53 shall inform the public that such equipment will be used, and further
54 identify the means by which the public may listen to such meeting.

55 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
56 sion, section, or part of this act shall be adjudged by any court of

1 competent jurisdiction to be invalid, such judgment shall not affect,
2 impair, or invalidate the remainder thereof, but shall be confined in
3 its operation to the clause, sentence, paragraph, subdivision, section
4 or part thereof directly involved in the controversy in which such judg-
5 ment shall have been rendered. It is hereby declared to be the intent of
6 the legislature that this act would have been enacted even if such
7 invalid provisions had not been included herein.

8 § 3. This act shall take effect immediately and shall expire and be
9 deemed repealed ten years after such effective date.