

STATE OF NEW YORK

4522

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

Introduced by Sens. BRISPORT, CLEARE -- 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 removing unnec-
essary barriers to child care subsidies for eligible children and
families

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

Section 1. Subdivision 1 of section 410 of the social services law, as
amended by chapter 694 of the laws of 2022, is amended to read as
follows:

1. A public welfare official of a county, city or town [~~is authorized~~]
shall, provided funds have been made available therefor[~~, to~~] and with
the state making all reasonable efforts to obtain federal funding and
supplementing such funding with additional state funding, provide day
care at public expense for children residing in his or her territory who
are eligible therefor pursuant to provisions of this title. Such care
[~~may~~] shall be provided [~~only in cases where it is determined,~~] under
criteria established by the office of children and family services[~~, that there is a need and that such care is in the best interest of the~~
~~child and parent~~]; provided however that the public welfare official
shall not be required to limit authorized child care services strictly
based on the work, training, or educational schedule of the parents or
the number of hours the parents spend in work, training, or educational
activities; provided further, however, that the public welfare official
shall not limit authorized child care services based on proof of immi-
gration status. Where the family is able to pay part or all of the costs
of such care, payment of such fees as may be reasonable in the light of
such ability shall be required.

§ 2. Section 410-w of the social services law is amended by adding a
new subdivision 11 to read as follows:

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

LBD07708-01-3

1 11. For purposes of determining employment status and income, local
2 social services districts shall accept self-attestation from parents or
3 guardians as an approved form of verification of employment status and
4 income.

5 § 3. This act shall take effect immediately; provided, however, that
6 if chapter 694 of the laws of 2022 shall not have taken effect on or
7 before such date then section one of this act shall take effect on the
8 same date and in the same manner as such chapter of the laws of 2022,
9 takes effect.