STATE OF NEW YORK

63--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. HEVESI, SHIMSKY, ROSENTHAL -- read once and referred to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing the child and family well-being program; to amend the state finance law, in relation to the child and family well-being fund; 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:

Section 1. The executive law is amended by adding a new article 19-J to read as follows:

ARTICLE 19-J

CHILD AND FAMILY WELL-BEING PROGRAM

Section 540. Legislative findings and intent.
541. Definitions.
542. Child and family well-being advisory board.
543. Child and family well-being program.
544. Assistance of other state agencies.
545. Reporting.

§ 540. Legislative findings and intent. The legislature finds that New York state's "family policy guidelines" codified in section nine hundred ninety-one of this chapter prioritize government support for families that promote "safe, nurturing environments which support the healthy growth of all family members". However, African American and Latinx parents are disproportionately reported to the child protective system for challenges that impact families of all races and ethnicities and socioeconomic status. Moreover, the majority of reports to the state child abuse hotline are made not for abuse, but for poverty-related conditions, including housing instability and homelessness, lack of

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

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transportation to school, inability to obtain medical care, lack of food, and lack of other basic needs. The child and family well-being fund, which shall be administered through the department of state, is intended to fund community-led projects that strengthen families, reduce their vulnerability to child protective system contact, and invest in supports that enhance family preservation, reunification, and healing. The establishment of the child and family well-being fund was included among recommendations of the New York Advisory Committee to the U.S. Commission on Civil Rights 2024 report, Examining the New York Child Welfare System and Its Impact on Black Children and Families.

§ 541. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Advisory board" shall mean the child and family well-being advisory board established pursuant to section five hundred forty-two of this article.

2. "Backbone organization" shall mean a nonprofit organization that supports community anchor entities in administering a local assessment and grant-making process within each community with the highest levels of child protective system involvement through technical assistance, capacity-building, evaluation, and facilitation of local input on grants distributed pursuant to this article.

3. "Child and family well-being fund" shall mean the child and family well-being fund established pursuant to section ninety-seven-aaaa of the state finance law to provide funds to grantee entities pursuant to the child and family well-being program established pursuant to this article.

4. "Community anchor entity" shall mean a local organization serving a community with the highest levels of child protective system involvement that is responsible for assessing local assets, identifying gaps and areas for investment, and administering a local process for the distribution of child and family well-being fund grants to eligible grantee entities.

5. "Community with the highest levels of child protective system involvement" shall mean a community identified by zip codes based on the highest rates and numbers of child protective investigations, the highest rates and numbers of child removal, the highest rates of racial disparity for indicated cases, and the highest rates of racial disparity in foster care placement for the most recent year.

6. "Director" shall mean the director of the child and family well-being program established pursuant to section five hundred forty-three of this article.

7. "Grantee entity" shall mean a local project or organization serving a community with the highest levels of child protective system involvement.

§ 542. Child and family well-being advisory board. 1. There is hereby established a child and family well-being advisory board which shall be comprised of nine members, three members to be appointed by the governor, three members to be appointed by the senate committee on children and families, and three members to be appointed by the assembly committee on children and families. Advisory board membership shall not include members who are current employees of, or an organization that currently has a contract with, a local department of social services providing foster care, adoption, or primary or secondary preventive services pursuant to section four hundred nine-a of the social services law. Members of the advisory board shall serve for a term of five years.

(a) Members appointed by the governor shall include:

(i) one child and family well-being professional with experience in policy development, research, and evaluation;

(ii) one community economic development and reinvestment professional with significant experience building trust and advocating with families and youth impacted by the child welfare system; and

(iii) one professional with experience in establishing or operating organizations providing mutual aid and peer support.

(b) Members appointed by the senate committee on children and families shall include:

(i) one parent who has had direct experience in the child protective system and is currently working in a professional advocacy or programmatic role in the field of child, youth, and family well-being;

(ii) one person between the ages of eighteen and twenty-five at the time of appointment who has had direct experience in the child protective system and is currently working in a professional advocacy or programmatic role in the field of child, youth, and family well-being; and

(iii) one attorney who has represented parents in child protective proceedings.

(c) Members appointed by the assembly committee on children and families shall include:

(i) one leader within a community-based organization significantly staffed and led by community residents that works with children, youth and families, and that does not currently have a contract with a local department of social services providing foster care, adoption, or primary or secondary preventive services pursuant to section four hundred nine-a of the social services law;

(ii) one community organizer who has successfully worked with community members to advance community development projects; and

(iii) one attorney who has represented children in child protective proceedings.

2. The advisory board shall meet with the director no less than four times per year.

3. The advisory board shall solicit public input regarding decisions made pursuant to section five hundred forty-three of this article and consider such public input in the report required pursuant to section five hundred forty-five this article.

4. Advisory board members shall be reimbursed for actual and reasonable expenses incurred in carrying out their duties.

5. Representation on the advisory board shall not prevent an entity or organization from being selected as a community anchor organization or grantee entity pursuant to the selection processes established pursuant to section five hundred forty-three of this article.

§ 543. Child and family well-being program. 1. There is hereby established a child and family well-being program to be administered by a director.

(a) The director shall be appointed by a two-thirds majority vote of the advisory board. The advisory board shall solicit nominations from the public for the position of director prior to such appointment.

(b) The director shall have:

(i) expertise in the areas of child and family well-being and non-profit organizational management in the state of New York, as evidenced by at least ten years of relevant experience in such field; and

(ii) a demonstrated commitment to racial equity and repair, community leadership, and a transformative approach to the child welfare system.

(c) The director may be removed in the same manner provided for such director's original appointment.

2. The director, in collaboration with the advisory board, shall identify ten communities with the highest levels of child protective system involvement, with no more than one community per county, to receive funding from the child and family well-being fund pursuant to the child and family well-being program. The director shall publish the list of such ten communities on the department of state's website for thirty days following such identification. During such thirty-day period, the director and the advisory board shall solicit input from the public about local assets and needs that support child and family well-being within such ten communities.

3. (a) The director and the advisory board shall select community anchor entities to lead the asset-based community development process within each of the ten communities with the highest levels of child protective system involvement. Criteria for the selection of community anchor entities shall include, but not be limited to, whether a potential community anchor entity:

(i) is staffed and led by community residents;

(ii) has a demonstrated capacity to build trust with and engage community members; and

(iii) is capable of administering a local grant-making process that is responsive to areas identified for investment.

(b) Community anchor entities shall receive funds from the child and family well-being fund to:

(i) lead an asset-based community development process to assess local assets and identify gaps and areas for investment within one or more of the ten communities with the highest levels of child protective system involvement identified pursuant to subdivision two of this section; and

(ii) administer a local request for proposals process responsive to areas identified for investment based on the asset-based community development process within the ten communities with the highest levels of child protective system involvement.

(c) Community anchor entities shall not have a contract with a local department of social services providing foster care, adoption, or primary or secondary preventive services pursuant to section four hundred nine-a of the social services law during the grant determination period described by this section.

(d) The director shall publish on the department of state's website:

(i) the list of the community anchor entities selected pursuant to this subdivision for thirty days following such selection; and

(ii) the findings of the asset-based community development process conducted pursuant to this subdivision.

4. (a) The director, in collaboration with the advisory board, shall select the backbone entity pursuant to a public request for proposals selection process. Such backbone entity shall work at the direction of the director and the advisory board and shall serve for a term of five years.

(b) The backbone entity shall:

(i) identify potential community anchor entities to lead the asset-based community development process within each of the ten communities with the highest levels of child protective system involvement identified pursuant to subdivision two of this section, and make recommendations to the director and the advisory board regarding such identification;

(ii) provide technical assistance to community anchor entities to administer a local request for proposals process from potential grantee entities and complete the asset-based community development process;

(iii) coordinate the community grant-making process with the community anchor entities and the distribution of funds to grantee entities pursuant to this article;

(iv) identify grantee entities based on the local request for proposals process completed by the community anchor entities and make recommendations to the director and the advisory board regarding such identification;

(v) report the findings of the asset-based community development process in each of the ten communities with the highest levels of child protective system involvement to the director and the advisory board; and

(vi) produce and submit any required financial and programmatic reporting information from community anchor entities and grantee entities to the department of state to reduce the financial and administrative burden for such community anchor entities and grantee entities.

(c) The advisory board and the director shall work with the backbone entity to ensure that the community anchor entities effectively engage communities as part of the asset-based community development process.

5. (a) The director and the advisory board shall select grantee entities and authorize the regranting of funds from the backbone entity to such grantee entities. Criteria for the selection of grantee entities shall include, but not be limited to, whether a potential grantee entity:

(i) offers material supports, resources, or services through voluntary networks of care;

(ii) affirmatively addresses local racial disparities;

(iii) is staffed and led by community residents, particularly by families impacted by the child protective system;

(iv) has a demonstrated capacity to voluntarily engage families;

(v) has any history contracting with the local department of social services; and

(vi) has developed a proposal to meet specific local needs associated with risk of child protective system involvement.

(b) Members of the advisory board shall disclose any interest that such members' have in a grantee entity to the director and other members of the advisory board prior to the selection of grantee entities pursuant to paragraph (a) of this subdivision.

(c) Grantee entities shall not have a contract with a local department of social services providing foster care, adoption, or primary or secondary preventive services pursuant to section four hundred nine-a of the social services law during the grant determination period described by this section.

§ 544. Assistance of other state agencies. 1. To effectuate the purposes of this article, the director may request and shall be entitled to receive from any department, division, or state agency, and the same are authorized to provide, such information and data as will enable the advisory board to carry out its functions, powers, and duties.

2. Any department, division, or state agency that receives a request for information and data from the director pursuant to this section shall provide such requested information and data to the director, subject to any limitations on the confidentiality and disclosure of such information and data pursuant to any other law.

§ 545. Reporting. 1. No later than one year after the effective date of this section, and annually thereafter, the director and the advisory board, with support from the backbone entity, shall produce and submit a written report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, and the state comptroller. Such report shall include, but shall not be limited to:

(a) the compensation received by the director and advisory board;

(b) recipients of grants from the child and family well-being fund, including community anchor entities and grantee entities;

(c) the amount awarded to each such recipient;

(d) the purposes for which such awards were granted;

(e) the extent to which such awards enhanced family preservation, reunification, and healing;

(f) recommendations for broad structural realignments and investments at the state and county levels to increase the capacities of grassroots, community-led organizations around a public health strategy for family well-being; and

(g) any other findings that the director and the advisory board deem relevant.

2. The director shall publish the report required pursuant to subdivision one of this section on the department of state's website.

§ 2. The state finance law is amended by adding a new section 97-aaaa to read as follows:

§ 97-aaaa. Child and family well-being fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special revenue fund to be known as the child and family well-being fund.

2. The child and family well-being fund shall consist of moneys appropriated, credited or transferred thereto from any other fund or source.

3. Moneys of the child and family well-being fund, following appropriation by the legislature and allocation by the director of the budget, shall be made available to the advisory board for the child and family well-being program for grants to community anchor entities and grantee entities to respond to children's and families' needs in certain communities as established by article nineteen-J of the executive law.

4. No later than one year after the effective date of this section, and annually thereafter, the advisory board for the child and family well-being program shall submit a report to the governor and the legislature detailing all expenditures made from the child and family well-being fund during the previous year.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall expire and be deemed repealed five years after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.