S T A T E O F N E W Y O R K

2307--A

Cal. No. 65

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. V. LOPEZ, BRENNAN, CLARK, JACOBS, LENTOL, ROBINSON, ERRIGO -- Multi-Sponsored by -- M. of A. ARROYO, McENENY, PAULIN, PHEFFER -- read once and referred to the Committee on Children and Families -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the social services law, in relation to certain criteria for determining eligibility for children's day care services

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

Section 1. Subdivision 1 of section 410 of the social services law, as added by chapter 395 of the laws of 1965, is amended and a new subdivision 1-a is added to read as follows:

1. A [public welfare] SOCIAL SERVICES official of a county, city or town is authorized, provided funds have been made available therefor, to provide day care at public expense for children residing in his territory who are eligible therefor pursuant to provisions of this title. Such care may be provided only in cases where it is determined, under criteria established by the [department] OFFICE OF CHILDREN AND FAMILY SERVICES, that there is a need therefor because of inability of the parents to provide care and supervision for a substantial part of the day and that such care is in the best interest of the child and parent. 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.

1-A. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO THE CONTRARY, THE DURATION OF AN EDUCATIONAL DEGREE PROGRAM IN WHICH A PARENT OR CARETAKER WHO WOULD OTHERWISE BE ELIGIBLE FOR ASSISTANCE PURSUANT TO THIS TITLE IS ENROLLED OR WILL BE ENROLLED SHALL NOT BE A FACTOR FOR DENYING SUCH PARENT OR CARETAKER RECEIPT OF SUCH ASSISTANCE.

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

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S 2. Section 410-w of the social services law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO THE CONTRARY, THE DURATION OF AN EDUCATIONAL DEGREE PROGRAM IN WHICH A PARENT OR CARETAKER WHO WOULD OTHERWISE BE ELIGIBLE FOR ASSISTANCE PURSUANT TO THIS SECTION IS ENROLLED OR WILL BE ENROLLED SHALL NOT BE A FACTOR FOR DENYING SUCH PARENT OR CARETAKER RECEIPT OF SUCH ASSISTANCE.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become law; provided, however, that effective immediately, the addition, amendment or repeal of any rule or regulation necessary for the implantation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.