

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

2010

2009-2010 Regular Sessions

I N S E N A T E

February 10, 2009

Introduced by Sens. GOLDEN, LARKIN, MORAHAN, PADAVAN, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the executive law, in relation to establishing the office of children and family services shall determine the community reinvestment amount to be invested in alternative services each year

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

1 Section 1. Subdivision 16 of section 501 of the executive law, as
2 renumbered by chapter 170 of the laws of 1994, is renumbered subdivision
3 17 and a new subdivision 16 is added to read as follows:
4 16. (A) TO DETERMINE THE COMMUNITY REINVESTMENT AMOUNT TO BE INVESTED
5 IN ALTERNATIVE SERVICES EACH YEAR IN ORDER TO INCLUDE IT IN THE EXECU-
6 TIVE BUDGET, AND TO RE-ESTIMATE THE AMOUNT, IF IT HAS CHANGED, NOT LATER
7 THAN THE FIRST DAY OF THE THIRD FULL MONTH NEXT FOLLOWING THE ADOPTION
8 OF THE BUDGET. THE COMMUNITY REINVESTMENT AMOUNT SHALL CONSIST OF
9 PROJECTED SAVINGS FROM: (I) THE CLOSURE OR REDUCTION OF CAPACITY OF
10 SECURE, LIMITED SECURE, AND NON-SECURE FACILITIES OPERATED AND MAIN-
11 TAINED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES; (II) A REDUCTION
12 FOR ANY REASON IN THE PROJECTED COSTS OF RESIDENTIAL PLACEMENT; OR (III)
13 THE COSTS ASSOCIATED WITH MOVING A CHILD FROM PLACEMENT IN OUT-OF-STATE
14 CONGREGATE RESIDENTIAL PROGRAMS OR RESIDENTIAL SCHOOLS TO A FACILITY,
15 PROGRAM, OR HOME WITHIN THE STATE. THE REPORTING OF THE COMMUNITY REIN-
16 VESTMENT AMOUNT SHALL IDENTIFY AMOUNTS IN DETAIL BY CATEGORY AND SHALL
17 FURTHER PROVIDE DETAIL OF THE METHODOLOGY BY WHICH THE AMOUNTS WERE
18 CALCULATED. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES SHALL
19 TRANSMIT THE REPORT IN SUCH DETAIL AS IS REQUIRED IN THIS PARAGRAPH, AND
20 SUCH ADDITIONAL DETAIL AS MAY BE REQUIRED FOR AN UNDERSTANDING BY THE
21 PUBLIC AND OTHER INTERESTED PARTIES OF THE COMMUNITY REINVESTMENT
22 AMOUNT, TO THE DIRECTOR OF THE BUDGET, WHO SHALL INCLUDE IT IN THE BUDG-

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

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1 ET SUBMITTED TO THE LEGISLATURE PURSUANT TO SECTION TWENTY-TWO OF THE
2 STATE FINANCE LAW.

3 (B) THE COMMUNITY REINVESTMENT AMOUNT SHALL CONSTITUTE THE BASE AMOUNT
4 FOR THE COMMUNITY REINVESTMENT PROGRAM. THE BASE AMOUNT SHALL, SUBJECT
5 TO APPROPRIATION, BE MADE AVAILABLE AS FOLLOWS: FIFTY PERCENT SHALL BE
6 MADE AVAILABLE TO HOME VISITING PROGRAMS ESTABLISHED PURSUANT TO SECTION
7 FOUR HUNDRED TWENTY-NINE OF THE SOCIAL SERVICES LAW, AND FIFTY PERCENT
8 SHALL BE MADE AVAILABLE FOR THE PURPOSE OF REDUCING THE OFFICE OF CHIL-
9 DREN AND FAMILY SERVICES INSTITUTIONAL PLACEMENTS THROUGH PROGRAM
10 MODIFICATIONS AND/OR SERVICES INCLUDING, BUT NOT LIMITED TO, MENTAL
11 HEALTH AND SUBSTANCE ABUSE PROGRAMS, DEMONSTRATED EFFECTIVE PROGRAMS
12 SUCH AS EVIDENCE-BASED INITIATIVES TO DIVERT YOUTH AT-RISK OF PLACEMENT
13 WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES AND/OR AS ALTERNATIVES
14 TO RESIDENTIAL PLACEMENTS WITH SUCH OFFICE.

15 (C) THE FIRST REPORT PURSUANT TO THIS SUBDIVISION SHALL BE DUE WITHIN
16 THREE MONTHS OF THE PASSAGE OF THE BUDGET IN THE YEAR IN WHICH THIS
17 SECTION SHALL HAVE BECOME A LAW.

18 S 2. This act shall take effect immediately.