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

10145

I N A S S E M B L Y

May 12, 2016

Introduced by M. of A. WEINSTEIN -- read once and referred to the Committee on Children and Families

AN ACT to amend the executive law, in relation to expanding the application of the runaway and homeless youth program to youth under twenty-five years of age

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

Section 1. Subdivisions 2 and 6 of section 532-a of the executive law, subdivision 2 as amended by chapter 800 of the laws of 1985 and subdivision 6 as amended by section 6 of part G of chapter 57 of the laws of 2013, are amended to read as follows:

2. "Homeless youth" shall mean a person under the age of [twenty-one] TWENTY-FIVE who is in need of services and is without a place of shelter where supervision and care are available.

6. "Transitional independent living support program" shall mean any non-residential program approved by the office of children and family services after submission by the municipality as part of its comprehensive plan, or any residential facility approved by the office of children and family services after submission by the municipality as part of its comprehensive plan to offer youth development programs, established and operated to provide supportive services, for a period of up to eighteen months in accordance with the regulations of the office of children and family services, to enable homeless youth between the ages of sixteen and [twenty-one] TWENTY-FIVE to progress from crisis care and transitional care to independent living. Such transitional independent living support program may also provide services to youth in need of crisis intervention or respite services. Notwithstanding the time limitation in paragraph (i) of subdivision (d) of section seven hundred thirty-five of the family court act, residential respite services may be provided in a transitional independent living support program for a period of more than twenty-one days.

S 2. Subdivision 6 of section 532-a of the executive law, as amended by section 14 of part E of chapter 57 of the laws of 2005, is amended to read as follows:

6. "Transitional independent living support program" shall mean any non-residential program approved by the office of children and family services after submission by the county youth bureau as part of its

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

LBD14658-02-6

comprehensive plan, or any residential facility approved by the office of children and family services after submission by the county youth bureau as part of its comprehensive plan, established and operated to provide supportive services, for a period of up to eighteen months in accordance with the regulations of the office of children and family services, to enable homeless youth between the ages of sixteen and [twenty-one] TWENTY-FIVE to progress from crisis care and transitional care to independent living. Such transitional independent living support program may also provide services to youth in need of crisis intervention or respite services. Notwithstanding the time limitation in paragraph (i) of subdivision (d) of section seven hundred thirty-five of the family court act, residential respite services may be provided in a transitional independent living support program for a period of more than twenty-one days.

S 3. Paragraph (a) of subdivision 1 of section 532-b of the executive law, as amended by section 15 of part E of chapter 57 of the laws of 2005, is amended to read as follows:

(a) provide assistance to any runaway or homeless youth or youth in need of crisis intervention or respite services as defined in this article, EXCEPT THAT FOR HOMELESS YOUTH OR YOUTH IN NEED OF CRISIS INTERVENTION OR RESPITE SERVICES BETWEEN THE AGES OF TWENTY-ONE AND TWENTY-FIVE, AN APPROVED RUNAWAY PROGRAM MAY, BUT SHALL NOT BE REQUIRED TO, PROVIDE ASSISTANCE OR RESPITE SERVICES AS DEFINED IN THIS ARTICLE;

S 4. Subdivision (a) of section 532-d of the executive law, as amended by chapter 182 of the laws of 2002, is amended to read as follows:

(a) provide shelter to homeless youth between the ages of sixteen and [twenty-one] TWENTY-FIVE as defined in this article, EXCEPT THAT FOR HOMELESS YOUTH BETWEEN THE AGES OF TWENTY-ONE AND TWENTY-FIVE, RESIDENTIAL FACILITIES OPERATED AS TRANSITIONAL INDEPENDENT LIVING SUPPORT PROGRAMS MAY, BUT SHALL NOT BE REQUIRED TO, PROVIDE SHELTER;

S 5. Paragraph a of subdivision 2 of section 420 of the executive law, as amended by section 3 of part G of chapter 57 of the laws of 2013, is amended to read as follows:

a. A municipality may submit to the office of children and family services a plan for the providing of services for runaway and homeless youth, as defined in article nineteen-H of this chapter. Where such municipality is receiving state aid pursuant to paragraph a of subdivision one of this section, such runaway and homeless youth plan shall be submitted as part of the comprehensive plan and shall be consistent with the goals and objectives therein. A runaway and homeless youth plan shall be developed in consultation with the municipal youth bureau and the county or city department of social services, shall be in accordance with the regulations of the office of children and family services, shall provide for a coordinated range of services for runaway and homeless youth and their families including preventive, temporary shelter, transportation, counseling, and other necessary assistance, and shall provide for the coordination of all available county resources for runaway and homeless youth and their families including services available through the municipal youth bureau, the county or city department of social services, local boards of education, local drug and alcohol programs and organizations or programs which have past experience dealing with runaway and homeless youth. Such plan may include provisions for transitional independent living support programs for homeless youth between the ages of sixteen and [twenty-one] TWENTY-FIVE as provided in article nineteen-H of this chapter. Such plan shall also provide for the designation and duties of the runaway and homeless youth service coordi-

nator defined in section five hundred thirty-two-a of this chapter who is available on a twenty-four hour basis and maintains information concerning available shelter space, transportation and services. Such plan may include provision for the per diem reimbursement for residential care of runaway and homeless youth in approved runaway programs which are authorized agencies, provided that such per diem reimbursement shall not exceed a total of thirty days for any one youth.

S 6. Paragraph a of subdivision 2 of section 420 of the executive law, as amended by chapter 182 of the laws of 2002, is amended to read as follows:

a. A county may submit to the commissioner a plan for the providing of services for runaway and homeless youth, as defined in article nineteen-H of this chapter. Where such county is receiving state aid pursuant to paragraph a of subdivision one of this section, such runaway and homeless youth plan shall be submitted as part of the comprehensive county plan and shall be consistent with the goals and objectives therein. A runaway and homeless youth plan shall be developed in consultation with the county youth bureau and the county or city department of social services, shall be in accordance with the regulations of the commissioner, shall provide for a coordinated range of services for runaway and homeless youth and their families including preventive, temporary shelter, transportation, counseling, and other necessary assistance, and shall provide for the coordination of all available county resources for runaway and homeless youth and their families including services available through the county youth bureau, the county or city department of social services, local boards of education, local drug and alcohol programs and organizations or programs which have past experience dealing with runaway and homeless youth. Such plan may include provisions for transitional independent living support programs for homeless youth between the ages of sixteen and [twenty-one] TWENTY-FIVE as provided in article nineteen-H of this chapter. Such plan shall also provide for the designation and duties of the runaway and homeless youth service coordinator defined in section five hundred thirty-two-a of this chapter who is available on a twenty-four hour basis and maintains information concerning available shelter space, transportation and services. Such plan may include provision for the per diem reimbursement for residential care of runaway and homeless youth in approved runaway programs which are authorized agencies, provided that such per diem reimbursement shall not exceed a total of thirty days for any one youth.

S 7. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, that the amendments to subdivision 6 of section 532-a of the executive law, made by section one of this act, shall not affect the expiration and reversion of such subdivision pursuant to section 9 of part G of chapter 57 of the laws of 2013, as amended, when upon such date section two of this act shall take effect; and provided, further, that the amendments to subdivision 2 of section 420 of the executive law, made by section five of this act, shall not affect the expiration and reversion of such subdivision pursuant to section 9 of part G of chapter 57 of the laws of 2013, as amended, when upon such date section six of this act shall take effect. Provided, further, that effective immediately the commissioner of children and family services is authorized and directed to promulgate any rules necessary to implement the provisions of this act on its effective date on or before such date.