STATE OF NEW YORK

7720

IN SENATE

May 12, 2016

Introduced by Sen. PARKER -- 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 establishing a program for financial transitional living services for foster children

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

Section 1. The social services law is amended by adding a new section 393 to read as follows:

S 393. PROGRAM FOR FINANCIAL TRANSITIONAL LIVING SERVICES FOR FOSTER CHILDREN. 1. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ESTABLISH A PROGRAM TO ASSIST FOSTER CHILDREN IN THE CARE, CUSTODY OR GUARDIANSHIP OF AN AUTHORIZED AGENCY TO ACHIEVE FINANCIAL SECURITY AND INDEPENDENCE AS THE CHILDREN TRANSITION TO INDEPENDENT LIVING.

2. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ENTER INTO AN AGREEMENT WITH FINANCIAL INSTITUTIONS TO ESTABLISH INDEPENDENT DEVELOPMENT SAVINGS ACCOUNTS FOR FOSTER CHILDREN OVER THE AGE OF SIXTEEN IN THE STATE. THE AGREEMENT MUST:

(A) PROHIBIT A FOSTER CHILD FROM WITHDRAWING MONEY FROM THE SAVINGS ACCOUNT UNTIL THE EARLIER OF:

(I) THE FIRST ANNIVERSARY OF THE DATE THE FIRST DEPOSIT IS MADE INTO THE SAVINGS ACCOUNT; OR

(II) THE DATE THE BALANCE IN THE SAVINGS ACCOUNT FIRST EQUALS OR EXCEEDS TWO THOUSAND DOLLARS;

(B) AUTHORIZE A FOSTER CHILD TO WITHDRAW MONEY FROM THE SAVINGS ACCOUNT ONLY IN PERSON AT THE FINANCIAL INSTITUTION;

(C) PROVIDE THAT THE BALANCE IN THE SAVINGS ACCOUNT MAY NOT EXCEED TWO THOUSAND DOLLARS AND ESTABLISH PROCEDURES FOR THE TRANSFER OR WITHDRAWAL OF THE AMOUNT OF MONEY THAT EXCEEDS TWO THOUSAND DOLLARS WHEN NECESSARY;

(D) REQUIRE THE OFFICE OF CHILDREN AND FAMILY SERVICES AND THE FINANCIAL INSTITUTION TO WORK TOGETHER TO ENCOURAGE THE FOSTER CHILDREN PARTICIPATING IN THE PROGRAM TO OPEN PRIVATE SAVINGS ACCOUNTS ONCE THE PARTICIPANTS ARE NO LONGER ELIGIBLE FOR FOSTER CARE SERVICES; AND

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

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(E) ESTABLISH PROCEDURES TO TRANSFER OWNERSHIP AND CONTROL OF THE ACCOUNT TO THE PARTICIPANTS EXITING THE PROGRAM WHO ARE NO LONGER ELIGIBLE FOR FOSTER CARE SERVICES.

3. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SEEK TO PARTNER WITH OTHER PUBLIC AND PRIVATE ENTITIES TO MATCH THE AMOUNTS OF MONEY DEPOSITED INTO THE FOSTER CHILDREN'S INDEPENDENT DEVELOPMENT SAVINGS ACCOUNTS UNDER THE PROGRAM. THE MATCHING FUNDS MUST BE DEPOSITED DIRECTLY INTO THE CHILD'S SAVINGS ACCOUNT.

4. (A) THE OFFICE OF CHILDREN AND FAMILY SERVICES AND THE PUBLIC OR PRIVATE ENTITIES SELECTED AS PARTNERS UNDER SUBDIVISION THREE OF THIS SECTION SHALL JOINTLY ESTABLISH INCENTIVES TO PROVIDE FINANCIAL REWARDS TO FOSTER CHILDREN FOR ACTIONS PERFORMED BY THE CHILDREN, INCLUDING, BUT NOT LIMITED TO, COLLEGE VISITS OR ATTENDANCE AT FINANCIAL LITERACY AND INDEPENDENT LIVING CLASSES.

(B) FOSTER CHILDREN PARTICIPATING IN THE PROGRAM SHALL BE REQUIRED TO ATTEND FINANCIAL LITERACY AND INDEPENDENT LIVING CLASSES. SUCH CLASSES MAY INCLUDE, BUT NEED NOT BE LIMITED TO INSTRUCTION ON USING CHECKING AND SAVINGS ACCOUNTS, SECURING A LOAN FOR HIGH COST ITEMS SUCH AS A MOTOR VEHICLE OR A HOME, OBTAINING AND USING CREDIT AND DEBIT CARDS, INVESTING AND SAVING MONEY, APPLYING TO POST-SECONDARY EDUCATION PROGRAMS, AND SECURING HOUSING AND EMPLOYMENT. ATTENDANCE AND ACTIVE PARTICIPATION IN SUCH CLASSES SHALL ENTITLE FOSTER CHILDREN TO THE FINANCIAL INCENTIVES ESTABLISHED UNDER PARAGRAPH (A) OF THIS SUBDIVISION.

5. MONEY THAT MAY BE DEPOSITED IN A FOSTER CHILD'S SAVINGS ACCOUNT ESTABLISHED UNDER THIS SECTION INCLUDES:

(A) MONEY EARNED BY THE CHILD THROUGH EMPLOYMENT OR ALLOWANCE;

(B) GIFT MONEY;

(C) MONEY DEPOSITED BY THE CHILD'S FOSTER PARENT OR BY A PARENT OR OTHER RELATIVE OF THE CHILD;

(D) MONEY RECEIVED FROM PUBLIC OR PRIVATE ENTITIES SELECTED AS PARTNERS UNDER SUBDIVISION THREE OF THIS SECTION AS FINANCIAL INCENTIVES OR MATCHING FUNDS; AND

(E) OTHER MONEY AUTHORIZED UNDER THE DEPARTMENT'S AGREEMENT WITH THE CREDIT UNION.

6. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SURVEY EACH FOSTER CHILD WHO ENTERS AND EXITS THE PROGRAM. THE SURVEY MUST BE DESIGNED TO ASSESS ANY CHANGES IN THE CHILD'S ATTITUDES, PERCEPTIONS, AND KNOWLEDGE ABOUT FINANCIAL MATTERS AND INDEPENDENT LIVING FROM THE TIME THE CHILD ENTERED THE PROGRAM UNTIL THE CHILD EXITED THE PROGRAM.

7. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL COMPLETE NO LATER THAN DECEMBER THIRTY-FIRST, TWO THOUSAND EIGHTEEN, AND ANNUALLY THEREAFTER, AN EVALUATION OF THE PROGRAM.

8. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL SUBMIT A REPORT ON THE EVALUATION OF THE PROGRAM CONDUCTED UNDER SUBDIVISION SEVEN OF THIS SECTION NO LATER THAN APRIL FIRST, TWO THOUSAND NINETEEN, AND ANNUALLY THEREAFTER, TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY.

S 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that 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 and directed to be made and completed on or before such effective date.