

# STATE OF NEW YORK

1372

2017-2018 Regular Sessions

## IN ASSEMBLY

January 11, 2017

Introduced by M. of A. WEINSTEIN, ROSENTHAL, SIMON, SEAWRIGHT, OTIS --  
read once and referred to the Committee on Children and Families

AN ACT to amend the executive law, in relation to expanding the applica-  
tion 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 Assem-  
bly, do enact as follows:

1 Section 1. Subdivisions 2 and 6 of section 532-a of the executive law,  
2 subdivision 2 as amended by chapter 800 of the laws of 1985 and subdivi-  
3 sion 6 as amended by section 6 of part G of chapter 57 of the laws of  
4 2013, are amended to read as follows:

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

8 6. "Transitional independent living support program" shall mean any  
9 non-residential program approved by the office of children and family  
10 services after submission by the municipality as part of its comprehen-  
11 sive plan, or any residential facility approved by the office of chil-  
12 dren and family services after submission by the municipality as part of  
13 its comprehensive plan to offer youth development programs, established  
14 and operated to provide supportive services, for a period of up to eigh-  
15 teen months in accordance with the regulations of the office of children  
16 and family services, to enable homeless youth between the ages of  
17 sixteen and [~~twenty-one~~] twenty-five to progress from crisis care and  
18 transitional care to independent living. Such transitional independent  
19 living support program may also provide services to youth in need of  
20 crisis intervention or respite services. Notwithstanding the time limi-  
21 tation in paragraph (i) of subdivision (d) of section seven hundred  
22 thirty-five of the family court act, residential respite services may be  
23 provided in a transitional independent living support program for a  
24 period of more than twenty-one days.

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

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

4 6. "Transitional independent living support program" shall mean any  
5 non-residential program approved by the office of children and family  
6 services after submission by the county youth bureau as part of its  
7 comprehensive plan, or any residential facility approved by the office  
8 of children and family services after submission by the county youth  
9 bureau as part of its comprehensive plan, established and operated to  
10 provide supportive services, for a period of up to eighteen months in  
11 accordance with the regulations of the office of children and family  
12 services, to enable homeless youth between the ages of sixteen and  
13 ~~twenty-one~~ twenty-five to progress from crisis care and transitional  
14 care to independent living. Such transitional independent living support  
15 program may also provide services to youth in need of crisis inter-  
16 vention or respite services. Notwithstanding the time limitation in  
17 paragraph (i) of subdivision (d) of section seven hundred thirty-five of  
18 the family court act, residential respite services may be provided in a  
19 transitional independent living support program for a period of more  
20 than twenty-one days.

21 § 3. Paragraph (a) of subdivision 1 of section 532-b of the executive  
22 law, as amended by section 15 of part E of chapter 57 of the laws of  
23 2005, is amended to read as follows:

24 (a) provide assistance to any runaway or homeless youth or youth in  
25 need of crisis intervention or respite services as defined in this arti-  
26 cle, except that for homeless youth or youth in need of crisis inter-  
27 vention or respite services between the ages of twenty-one and twenty-  
28 five, an approved runaway program may, but shall not be required to,  
29 provide assistance or respite services as defined in this article;

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

32 (a) provide shelter to homeless youth between the ages of sixteen and  
33 ~~twenty-one~~ twenty-five as defined in this article, except that for  
34 homeless youth between the ages of twenty-one and twenty-five, residen-  
35 tial facilities operated as transitional independent living support  
36 programs may, but shall not be required to, provide shelter;

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

40 a. A municipality may submit to the office of children and family  
41 services a plan for the providing of services for runaway and homeless  
42 youth, as defined in article nineteen-H of this chapter. Where such  
43 municipality is receiving state aid pursuant to paragraph a of subdivi-  
44 sion one of this section, such runaway and homeless youth plan shall be  
45 submitted as part of the comprehensive plan and shall be consistent with  
46 the goals and objectives therein. A runaway and homeless youth plan  
47 shall be developed in consultation with the municipal youth bureau and  
48 the county or city department of social services, shall be in accordance  
49 with the regulations of the office of children and family services,  
50 shall provide for a coordinated range of services for runaway and home-  
51 less youth and their families including preventive, temporary shelter,  
52 transportation, counseling, and other necessary assistance, and shall  
53 provide for the coordination of all available county resources for runa-  
54 way and homeless youth and their families including services available  
55 through the municipal youth bureau, the county or city department of  
56 social services, local boards of education, local drug and alcohol

1 programs and organizations or programs which have past experience deal-  
2 ing with runaway and homeless youth. Such plan may include provisions  
3 for transitional independent living support programs for homeless youth  
4 between the ages of sixteen and [~~twenty-one~~] twenty-five as provided in  
5 article nineteen-H of this chapter. Such plan shall also provide for the  
6 designation and duties of the runaway and homeless youth service coordi-  
7 nator defined in section five hundred thirty-two-a of this chapter who  
8 is available on a twenty-four hour basis and maintains information  
9 concerning available shelter space, transportation and services. Such  
10 plan may include provision for the per diem reimbursement for residen-  
11 tial care of runaway and homeless youth in approved runaway programs  
12 which are authorized agencies, provided that such per diem reimbursement  
13 shall not exceed a total of thirty days for any one youth.

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

17 a. A county may submit to the commissioner a plan for the providing of  
18 services for runaway and homeless youth, as defined in article nine-  
19 teen-H of this chapter. Where such county is receiving state aid pursu-  
20 ant to paragraph a of subdivision one of this section, such runaway and  
21 homeless youth plan shall be submitted as part of the comprehensive  
22 county plan and shall be consistent with the goals and objectives there-  
23 in. A runaway and homeless youth plan shall be developed in consultation  
24 with the county youth bureau and the county or city department of social  
25 services, shall be in accordance with the regulations of the commission-  
26 er, shall provide for a coordinated range of services for runaway and  
27 homeless youth and their families including preventive, temporary shel-  
28 ter, transportation, counseling, and other necessary assistance, and  
29 shall provide for the coordination of all available county resources for  
30 runaway and homeless youth and their families including services avail-  
31 able through the county youth bureau, the county or city department of  
32 social services, local boards of education, local drug and alcohol  
33 programs and organizations or programs which have past experience deal-  
34 ing with runaway and homeless youth. Such plan may include provisions  
35 for transitional independent living support programs for homeless youth  
36 between the ages of sixteen and [~~twenty-one~~] twenty-five as provided in  
37 article nineteen-H of this chapter. Such plan shall also provide for the  
38 designation and duties of the runaway and homeless youth service coordi-  
39 nator defined in section five hundred thirty-two-a of this chapter who  
40 is available on a twenty-four hour basis and maintains information  
41 concerning available shelter space, transportation and services. Such  
42 plan may include provision for the per diem reimbursement for residen-  
43 tial care of runaway and homeless youth in approved runaway programs  
44 which are authorized agencies, provided that such per diem reimbursement  
45 shall not exceed a total of thirty days for any one youth.

46 § 7. This act shall take effect on the one hundred twentieth day after  
47 it shall have become a law, provided, that the amendments to subdivision  
48 6 of section 532-a of the executive law, made by section one of this  
49 act, shall not affect the expiration and reversion of such subdivision  
50 pursuant to section 9 of part G of chapter 57 of the laws of 2013, as  
51 amended, when upon such date section two of this act shall take effect;  
52 and provided, further, that the amendments to subdivision 2 of section  
53 420 of the executive law, made by section five of this act, shall not  
54 affect the expiration and reversion of such subdivision pursuant to  
55 section 9 of part G of chapter 57 of the laws of 2013, as amended, when  
56 upon such date section six of this act shall take effect. Provided,

1 further, that effective immediately the commissioner of children and  
2 family services is authorized and directed to promulgate any rules  
3 necessary to implement the provisions of this act on its effective date  
4 on or before such date.