STATE OF NEW YORK

1938--A

2017-2018 Regular Sessions

IN SENATE

January 11, 2017

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to the twelve month work exemption for certain parents or relatives providing child care

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 410-x of the social services law, as amended by chapter 416 of the laws of 2000, is amended to read as follows:

2. (a) A social services district may establish priorities for the families which will be eligible to receive funding; provided that the priorities provide that eligible families will receive equitable access to child care assistance funds to the extent that these funds are available.

(b) A social services district shall set forth its priorities for child care assistance in the district's consolidated services plan. The commissioner of the office of children and family services shall not approve any plan that does not provide for equitable access to child care assistance funds.

(c) A social services district shall be authorized to set aside portions of its block grant allocation to serve one or more of its priority groups and/or to discontinue funding to families with lower priorities in order to serve families with higher priorities; provided that the method of disbursement to priority groups provides that eligible families within a priority group will receive equitable access to

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

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child care assistance funds to the extent that these funds are available.

(d) **Notwithstanding any other provision of law to the contrary, the commissioner in any social services district that does not have sufficient funding to serve all eligible working families under two hundred percent of the state income standard, shall offer the twelve month work exemption provided in paragraph (d) of subdivision one of section three hundred thirty-two of this chapter, to all parents or other relatives in receipt of public assistance who are personally providing care for a child under one year of age regardless of whether such parent or other relative has previously been offered an exemption under such section three hundred thirty-two. This section shall not apply to individuals who:**

(i) solely participate in work activities that provide earned income; or

(ii) participate in a combination of work activities; for the portion of work activities that provide earned income.

(e) In the event that a social services district must discontinue funding to a priority group it shall notify the office of children and family services within ten days of such action, identifying the particular group affected. In the event that funding is restored, the social services district shall notify the office of children and family services within ten days of such restoration.

(f) Each social services district shall collect and submit to the commissioner of the office of children and family services in a manner to be specified by the commissioner of the office of children and family services information concerning the disbursement of child care assistance funds showing geographic distribution of children receiving assistance within the district**, the number of working families who were otherwise eligible for child care assistance but who were denied because the district lacked sufficient funding to serve all eligible families and the number and age of children who could not be served as a result**.

[~~(e)~~] **(g)** The commissioner of the office of children and family services shall submit a report to the governor, temporary president of the senate and the speaker of the assembly on or before August thirty-first[~~, two thousand one~~] **of every year** concerning the implementation of this section. This report shall include information concerning the disbursement of child care assistance funds showing geographic distribution of children receiving assistance within the state. **Beginning August thirty-first, one year after the chapter of the laws of two thousand eighteen that amended this subdivision shall take effect, and each subsequent report thereafter, such report shall also:**

(i) identify the counties that have discontinued or restored funding to priority groups, as set forth in subdivision (e) of this section;

(ii) list the priority groups affected;

(iii) provide for each county for each of the twelve months covered by this report the number of working families who were otherwise eligible for child care assistance but who were denied because the district lacked sufficient funding to serve all eligible families; and

(iv) the number and age of children who could not be served as a result.

§ 2. This act shall take effect immediately.