

STATE OF NEW YORK

5220

2019-2020 Regular Sessions

IN ASSEMBLY

February 7, 2019

Introduced by M. of A. TITUS, LUPARDO, MOSLEY, BRONSON, WALKER, OTIS, BARRON -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, DAVILA, FAHY, JAFFEE, LAVINE, PERRY, SOLAGES, STECK -- read once and referred to the Committee on Social Services

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:

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

4 2. (a) A social services district may establish priorities for the
5 families which will be eligible to receive funding; provided that the
6 priorities provide that eligible families will receive equitable access
7 to child care assistance funds to the extent that these funds are avail-
8 able.

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

14 (c) A social services district shall be authorized to set aside
15 portions of its block grant allocation to serve one or more of its
16 priority groups and/or to discontinue funding to families with lower
17 priorities in order to serve families with higher priorities; provided
18 that the method of disbursement to priority groups provides that eligi-
19 ble families within a priority group will receive equitable access to
20 child care assistance funds to the extent that these funds are avail-
21 able.

22 (d) Notwithstanding any other provision of law to the contrary, the
23 commissioner in any social services district that does not have suffi-

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

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1 cient funding to serve all eligible working families under two hundred
2 percent of the state income standard, shall offer the twelve month work
3 exemption provided in paragraph (d) of subdivision one of section three
4 hundred thirty-two of this chapter, to all parents or other relatives in
5 receipt of public assistance who are personally providing care for a
6 child under one year of age regardless of whether such parent or other
7 relative has previously been offered an exemption under such section
8 three hundred thirty-two. This section shall not apply to individuals
9 who:

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

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

14 (e) In the event that a social services district must discontinue
15 funding to a priority group it shall notify the office of children and
16 family services within ten days of such action, identifying the partic-
17 ular group affected. In the event that funding is restored, the social
18 services district shall notify the office of children and family
19 services within ten days of such restoration.

20 (f) Each social services district shall collect and submit to the
21 commissioner of the office of children and family services in a manner
22 to be specified by the commissioner of the office of children and family
23 services information concerning the disbursement of child care assist-
24 ance funds showing geographic distribution of children receiving assist-
25 ance within the district, the number of working families who were other-
26 wise eligible for child care assistance but who were denied because the
27 district lacked sufficient funding to serve all eligible families and
28 the number and age of children who could not be served as a result.

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

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

41 (ii) list the priority groups affected;

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

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

48 § 2. This act shall take effect immediately.