STATE OF NEW YORK

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5739

2019-2020 Regular Sessions

IN ASSEMBLY

February 14, 2019
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Introduced by M. of A. TITUS, CRESPO, COOK, JAFFEE, MOSLEY -- Multi-
  Sponsored by -- M. of A. GLICK, GOTTFRIED, PEOPLES-STOKES, PERRY,
  THIELE -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to recipients of
  public assistance who lack appropriate child care

  **The People of the State of New York, represented in Senate and Assem-
  bly, do enact as follows:**

1   Section 1. Subdivision 5 of section 131 of the social services law, as
2 added by section 11 of part B of chapter 436 of the laws of 1997, is
3 amended to read as follows:
4   5. No public assistance shall be given to an applicant for or recipi-
5 ent of public assistance who has failed to comply with the requirements
6 of this chapter, or has refused to accept employment in which he or she
7 is able to engage. **Except that no applicant or recipient who is the
8 parent or caretaker relative of an eligible child shall be subject to
9 the ineligibility provisions of this chapter if the lack of child care
10 that is appropriate, suitable, and within a reasonable distance, and
11 reflects parental preferences prevents the individual from complying
12 with the requirements therein.**
13   § 2. Paragraph (e) of subdivision 1 of section 332 of the social
14 services law, as amended by section 148 of part B of chapter 436 of the
15 laws of 1997, is amended and a new paragraph (f) is added to read as
16 follows:
17   (e) a woman who is pregnant, beginning thirty days prior to the
18 medically verified date of delivery of her child[-]**;**
19   **(f) the parent or caretaker relative of an eligible child, for the
20 period of time during which such participation is prevented by the lack
21 of child care that is appropriate, suitable and within a reasonable
22 distance, and that is reflective of the child care preferences included
23 in the parent's assessment.**

  EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
                 [-] is old law to be omitted.
                                                         LBD07716-01-9

 1   § 3. Subdivision 1 of section 336-d of the social services law, as
 2   added by section 148 of part B of chapter 436 of the laws of 1997, is
 3   amended to read as follows:
 4   1. Each applicant for or recipient of public assistance shall, upon
 5   request of the social services official, demonstrate that he or she is
 6   engaged in an active and continuing effort to achieve self-sufficiency
 7   as defined by the department.   Such effort shall include but not be
 8   limited to an active and continuing search for employment, or for
 9   persons otherwise exempt in accordance with section three hundred thir-
10   ty-two of this title, and where deemed appropriate by the social
11   services official, activities that foster preparation for employment.
12   Each such applicant or recipient shall have an affirmative duty to
13   accept any offer of lawful employment in which he or she may engage. The
14   failure of a social services district to assign applicants and recipi-
15   ents to activities pursuant to this title shall not relieve such persons
16   from the requirements   of this section. An individual who fails to
17   comply with the requirements of the section shall be subject to the
18   provisions set forth in subdivision five of section one hundred thirty-
19   one of this chapter and [**of section**] **sections** three hundred forty-one
20   and three hundred forty-two of this title. **Except that no applicant or**
21   **recipient who is the parent or caretaker relative of an eligible child**
22   **shall be subject to the ineligibility provisions of this section if the**
23   **lack of child care that is appropriate, suitable, and within a reason-**
24   **able distance prevents the individual from complying with the work**
25   **requirements of this section.**
26   § 4. This act shall take effect on the one hundred twentieth day after
27   it shall have become a law. Effective immediately, the addition, amend-
28   ment and/or repeal of any rule or regulation necessary for the implemen-
29   tation of this act on its effective date is authorized to be made on or
30   before such date.