

# STATE OF NEW YORK

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5220

2019-2020 Regular Sessions

## IN ASSEMBLY

February 7, 2019

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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.