STATE OF NEW YORK

10209--A

IN ASSEMBLY

May 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lunsford, Solages) -- read once and referred to the Committee on Children and Families -- reported and referred to the Committee on Ways and Means -- 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 duration of child care assistance for eligible families

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

Section 1. Subdivision 3 of section 410-w of the social services law, as amended by chapter 569 of the laws of 2001, is amended to read as follows:

3. A social services district shall guarantee child care assistance to families in receipt of public assistance with children under thirteen years of age when such child care assistance is necessary for a parent or caretaker relative to engage in work or participate in work activities pursuant to the provisions of title nine-B of article five of this chapter. Child care assistance shall continue to be guaranteed for such a family for a period of twelve months **or may be provided by a social service district for a period up to twenty-four months,** after the month in which the family's eligibility for public assistance has terminated or ended when such child care is necessary in order to enable the parent or caretaker relative to engage in work, provided that the family's public assistance has been terminated as a result of an increase in the hours of or income from employment or increased income from child support payments or because the family voluntarily ended assistance; that the family received public assistance in at least three of the six months preceding the month in which eligibility for such assistance terminated or ended or provided that such family has received child care assistance under subdivision four of this section; and that the family's income does not exceed two hundred percent of the state income standard. Such child day care shall recognize the need for continuity of care for the child and a district shall not move a child from an existing provider unless the participant consents to such move.

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

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§ 2. Subdivision 3 of section 410-w of the social services law, as amended by section 2 of part L of chapter 56 of the laws of 2022, is amended to read as follows:

3. A social services district shall guarantee child care assistance to families in receipt of public assistance with children under thirteen years of age when such child care assistance is necessary for a parent or caretaker relative to engage in work or participate in work activities pursuant to the provisions of title nine-B of article five of this chapter. Child care assistance shall continue to be guaranteed for such a family for a period of twelve months **or may be provided by a social service district for a period up to twenty-four months,** after the month in which the family's eligibility for public assistance has terminated or ended when such child care is necessary in order to enable the parent or caretaker relative to engage in work, provided that the family's public assistance has been terminated as a result of an increase in the hours of or income from employment or increased income from child support payments or because the family voluntarily ended assistance; that the family received public assistance in at least three of the six months preceding the month in which eligibility for such assistance terminated or ended or provided that such family has received child care assistance under subdivision four of this section; that the family's income does not exceed two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two; and that the family income does not exceed eighty-five percent of the state median income. Such child day care shall recognize the need for continuity of care for the child and a district shall not move a child from an existing provider unless the participant consents to such move.

§ 3. Subdivision 5 of section 410-w of the social services law, as added by chapter 569 of the laws of 2001, is amended to read as follows:

5. **a.** A family eligible for child care assistance **pursuant to subdivision one of this section, unless such family voluntarily ends such assistance, shall be deemed eligible for a period of no less than twelve months from the date of the eligibility determination for such assistance and a social services district may elect to extend this period up to twenty-four months.**

(b) A family eligible for child care assistance under paragraph (a) of subdivision one of this section shall suffer no break in child care services and shall not be required to reapply for such assistance so long as eligibility under subdivision three of this section continues.

§ 4. This act shall take effect immediately; provided, however, that if section 2 of part L of chapter 56 of the laws of 2022 shall not have taken effect on or before such date, then section two of this act shall take effect on the same date and in the same manner as chapter 56 of the laws of 2022 takes effect.