

# STATE OF NEW YORK

7661

2021-2022 Regular Sessions

## IN ASSEMBLY

May 19, 2021

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to providing that public welfare officials shall not be required to limit authorized child care services strictly based on the work, training, or educational schedule of the parents and making technical changes

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

Section 1. Subdivision 1 and paragraph (b) of subdivision 3 of section 410 of the social services law, subdivision 1 as added by chapter 395 of the laws of 1965 and paragraph (b) of subdivision 3 as amended by chapter 875 of the laws of 1986, are amended to read as follows:

1. A public welfare official of a county, city or town is authorized, provided funds have been made available therefor, to provide day care at public expense for children residing in his territory who are eligible therefor pursuant to provisions of this title. Such care may be provided only in cases where it is determined, under criteria established by the [department] office of children and family services, that there is a need [~~therefor because of inability of the parents to provide care and supervision for a substantial part of the day~~] and that such care is in the best interest of the child and parent; provided however that the public welfare official shall not be required to limit authorized child care services strictly based on the work, training, or educational schedule of the parents or the number of hours the parents spend in work, training, or educational activities. Where the family is able to pay part or all of the costs of such care, payment of such fees as may be reasonable in the light of such ability shall be required.

(b) Care under this title may be provided only in group facilities, family homes, group family day care homes or in a day care center project as defined in title five-a which are operated in compliance with applicable regulations of the [department] office of children and family

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

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1 services. A group facility shall include a public school which provides  
2 day care pursuant to this subdivision.  
3 § 2. This act shall take effect on the ninetieth day after it shall  
4 have become a law. Effective immediately, the addition, amendment and/or  
5 repeal of any rule or regulation necessary for the implementation of  
6 this act on its effective date are authorized to be made and completed  
7 on or before such date.