

STATE OF NEW YORK

8032

2021-2022 Regular Sessions

IN ASSEMBLY

June 7, 2021

Introduced by M. of A. WEINSTEIN -- (at request of the Division of the Budget) -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapter 53 of the laws of 2021, enacting the aid to localities budget, and to amend chapter 54 of the laws of 2021, enacting the capital projects budget, in relation to making technical corrections thereto

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

1 Section 1. Section 1 of chapter 53 of the laws of 2021, enacting the
2 aid to localities budget, is amended by repealing the items hereinbelow
3 set forth in brackets and by adding to such section the other items
4 underscored in this section.

5 DEPARTMENT OF FAMILY ASSISTANCE
6 OFFICE OF CHILDREN AND FAMILY SERVICES

7 AID TO LOCALITIES 2021-22

8 CHILD CARE PROGRAM 3,289,971,200
9 -----

10 General Fund
11 Local Assistance Account - 10000

12 Notwithstanding any inconsistent provision
13 of law, the funds appropriated herein
14 shall be available for transfer to the
15 federal health and human services fund,
16 local assistance account, federal day care
17 account to operate and support enrollment
18 in the child care facilitated enrollment

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

LBD11809-01-1

1 pilot program which expand access to child
2 care subsidies for working families who
3 live or are employed in Onondaga County
4 with income up to 275 percent of the
5 federal poverty level as provided to the
6 [~~Consortium for Worker Education~~] NYS
7 AFL-CIO Workforce Development Institute to
8 administer and to implement a plan
9 approved by the office of children and
10 family services. The administrative cost,
11 including the cost of the development of
12 the evaluation of the pilot program shall
13 not exceed ten percent of the funds avail-
14 able for the purpose. The remaining
15 portion of the funds shall be allocated to
16 the office of children and family services
17 to the local social services district
18 where the recipient families reside as
19 determined by the project administrator
20 based on projected need and cost of
21 providing child care subsidies payment to
22 working families enrolled through the
23 pilot initiative, provided however the
24 local social services district shall not
25 reimburse subsidy payment in excess of the
26 amount the subsidy funding appropriated
27 herein can support and the applicable
28 local social services district shall not
29 be required to approve or pay for subsi-
30 dies not funded herein. Child care subsi-
31 dies paid on behalf of eligible families
32 shall be reimbursed at the actual cost of
33 care up to the applicable market rate for
34 the district in which the child care is
35 provided and in accordance with the fee
36 schedule of the local social services
37 district making the subsidy payment. Up to
38 ten percent of funds available for this
39 purpose shall be made available to the
40 [~~Consortium for Worker Education~~] NYS
41 AFL-CIO Workforce Development Institute,
42 or other designated administrator, to
43 administer and to implement a plan
44 approved by the office of children and
45 family services for this pilot program.
46 This administrator shall prepare and
47 submit to the office of children and fami-
48 ly services, the chairs of the senate
49 committee on social services, the senate
50 committee on children and families, the
51 senate committee on labor, the chairs of
52 the assembly committee on children and
53 families, the assembly committee on social
54 services, and the assembly committee on
55 labor a report on the pilot program with
56 recommendations. Such report shall include

1 available information regarding the pilot
2 program or participants in the pilot
3 program, including but not limited to: the
4 number of income eligible children of
5 working parents with income greater than
6 200 percent but at or less than 275
7 percent of the federal poverty level, the
8 ages of the children served by the
9 program, the number of families served by
10 the program who are in receipt of family
11 assistance, the factors that parents
12 considered when searching for child care,
13 the factors that barred the families'
14 access to child care assistance prior to
15 their enrollment in the facilitated
16 enrollment program, the number of families
17 who receive a child care subsidy pursuant
18 to this program who choose to use such
19 subsidy for regulated child care, and the
20 number of families who receive a child
21 care subsidy pursuant to this program who
22 choose to use such subsidy to receive
23 child care services provided by a legally
24 exempt provider. Such report shall be
25 submitted by the program administrator, on
26 or before November 1, 2021, provided that
27 if such report is not received by November
28 30, 2021, reimbursement for administrative
29 costs shall be either reduced or withheld,
30 and failure of an administrator to submit
31 a timely report may jeopardize such admin-
32 istrator's program from receiving funding
33 in future years. The administrator for
34 this pilot program shall submit bimonthly
35 reports to the office of children and
36 family services, the local social services
37 district, the administration for chil-
38 dren's services, and the legislature. Each
39 bi-monthly report shall provide without
40 benefit of personal identifying informa-
41 tion, the pilot program's current enroll-
42 ment level, amount of the child's subsidy,
43 co-payment levels, and any other informa-
44 tion as needed or required by the office
45 of children and family services. Further,
46 the office of children and family services
47 shall provide technical assistance to the
48 pilot program to assist with program
49 administration and timely coordination of
50 the bi-monthly claiming process. Notwith-
51 standing any other provision of law, this
52 pilot program maintained herein may be
53 terminated if the administrator for such
54 program mismanages such program, by engag-
55 ing in actions including but not limited
56 to, improper use of funds, providing for

1 child care subsidies in excess of the
2 amount the subsidy funding appropriated
3 herein can support, and failing to submit
4 claims for reimbursement in a timely fash-
5 ion 500,000

6 Notwithstanding any inconsistent provision
7 of law, the funds appropriated herein
8 shall be available for transfer to the
9 federal health and human services fund,
10 local assistance account, federal day care
11 account to operate and support enrollment
12 in the child care facilitated enrollment
13 pilot program which expand access to child
14 care subsidies for working families who
15 live or are employed in Erie County with
16 income up to 275 percent of the federal
17 poverty level as provided to the [~~Conser-~~
18 ~~tium for Worker Education~~] NYS AFL-CIO
19 Workforce Development Institute to admin-
20 ister and to implement a plan approved by
21 the office of children and family
22 services. The administrative cost, includ-
23 ing the cost of the development of the
24 evaluation of the pilot program shall not
25 exceed ten percent of the funds available
26 for the purpose. The remaining portion of
27 the funds shall be allocated to the office
28 of children and family services to the
29 local social services district where the
30 recipient families reside as determined by
31 the project administrator based on
32 projected need and cost of providing child
33 care subsidies payment to working families
34 enrolled through the pilot initiative,
35 provided however the local social services
36 district shall not reimburse subsidy
37 payment in excess of the amount the subsi-
38 dy funding appropriated herein can support
39 and the applicable local social services
40 district shall not be required to approve
41 or pay for subsidies not funded herein.
42 Child care subsidies paid on behalf of
43 eligible families shall be reimbursed at
44 the actual cost of care up to the applica-
45 ble market rate for the district in which
46 the child care is provided and in accord-
47 ance with the fee schedule of the local
48 social services district making the subsi-
49 dy payment. Up to ten percent of funds
50 available for this purpose shall be made
51 available to the [~~Consortium for Worker~~
52 ~~Education~~] NYS AFL-CIO Workforce Develop-
53 ment Institute, or other designated admin-
54 istrator, to administer and to implement a
55 plan approved by the office of children
56 and family services for this pilot

1 program. This administrator shall prepare
2 and submit to the office of children and
3 family services, the chairs of the senate
4 committee on social services, the senate
5 committee on children and families, the
6 senate committee on labor, the chairs of
7 the assembly committee on children and
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9 services, and the assembly committee on
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16 working parents with income greater than
17 200 percent but at or less than 275
18 percent of the federal poverty level, the
19 ages of the children served by the
20 program, the number of families served by
21 the program who are in receipt of family
22 assistance, the factors that parents
23 considered when searching for child care,
24 the factors that barred the families'
25 access to child care assistance prior to
26 their enrollment in the facilitated
27 enrollment program, the number of families
28 who receive a child care subsidy pursuant
29 to this program who choose to use such
30 subsidy for regulated child care, and the
31 number of families who receive a child
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33 choose to use such subsidy to receive
34 child care services provided by a legally
35 exempt provider. Such report shall be
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 10 ing in actions including but not limited
 11 to, improper use of funds, providing for
 12 child care subsidies in excess of the
 13 amount the subsidy funding appropriated
 14 herein can support, and failing to submit
 15 claims for reimbursement in a timely fash-
 16 ion 500,000
 17 -----
 18 Program account subtotal 256,991,200
 19 -----

20 § 2. Section 1 of chapter 54 of the laws of 2021, enacting the capital
 21 projects budget, is amended by repealing the items hereinbelow set forth
 22 in brackets and by adding to such section the other items underscored in
 23 this section.

24 DIVISION OF HOUSING AND COMMUNITY RENEWAL

25 CAPITAL PROJECTS 2021-22

26 ADAPTIVE REUSE AFFORDABLE HOUSING PROGRAM 100,000,000
 27 -----

28 Capital Projects Funds - Other
 29 Housing Program Fund
 30 Housing Trust Fund Corporation Account - 31851
 31 New Facilities Purpose

32 To support the creation of the adaptive
 33 reuse affordable housing program to
 34 finance conversion of commercial proper-
 35 ties and hotel properties in the city of
 36 New York for the purposes of creating
 37 permanent affordable residential housing.
 38 The amounts appropriated herein may be
 39 suballocated or transferred to any state
 40 department, agency, or public authority
 41 for purposes stated herein 100,000,000

42 § 3. This act shall take effect immediately and shall be deemed to
 43 have been in full force and effect on and after April 1, 2021.