

# STATE OF NEW YORK

2755--C

Cal. No. 1191

2021-2022 Regular Sessions

## IN SENATE

January 25, 2021

Introduced by Sens. RAMOS, BAILEY, BENJAMIN, BRESLIN, BRISPORT, BROUK, COMRIE, COONEY, GOUNARDES, HARCKHAM, HINCHEY, HOYLMAN, JACKSON, KRUEGER, MANNION, MAY, MAYER, RIVERA, SALAZAR, SAVINO, SEPULVEDA, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the social services law, in relation to establishing an advisory council to effectuate a reduction in child poverty in the state; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The social services law is amended by adding a new section  
2 131-zz to read as follows:

3 § 131-zz. Child poverty reduction. 1. Legislative findings. The  
4 legislature hereby declares that New York should take any steps neces-  
5 sary to reduce the overall child poverty rate by fifty percent in the  
6 next ten years. Nearly three million New Yorkers are living in poverty,  
7 eight hundred ninety-five thousand of which are children. In fact, one  
8 in five New York children struggle to meet basic needs, and although  
9 several efforts have been undertaken, the overall poverty rate in New  
10 York has failed to see a reduction over the last decade. The legislature  
11 finds that reducing child poverty will protect the health and general  
12 well-being of all New Yorkers. To effectuate this reduction, the child  
13 poverty reduction advisory council shall be established to research  
14 policy ideas, develop best practices, and continually monitor relevant

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

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1 benchmarks to ensure that New York continues to work towards reducing  
2 child poverty by fifty percent in ten years.

3 2. Child poverty reduction advisory council established. (a) To effec-  
4 tuate a reduction in child poverty in the state, there is hereby estab-  
5 lished an advisory council, to be known as the "child poverty reduction  
6 advisory council", hereafter referred to as the "advisory council". The  
7 advisory council shall carry out the required acts set forth in subdivi-  
8 sion four of this section.

9 (b) The members of the advisory council shall be chaired by a repre-  
10 sentative of the executive chamber and the commissioner of the office of  
11 temporary and disability assistance, or their designees. Ensuring  
12 adequate geographic representation, members of the advisory council  
13 shall be appointed in the following manner:

14 (i) two members shall be appointed by the temporary president of the  
15 senate;

16 (ii) two members shall be appointed by the speaker of the assembly;

17 (iii) two members shall be appointed by the commissioner of the office  
18 of temporary and disability assistance;

19 (iv) at least one member shall be appointed by the governor from each  
20 of the following entities:

21 (1) the office of children and family services;

22 (2) the New York state council on children and families;

23 (3) the department of taxation and finance;

24 (4) a regional economic development council;

25 (5) a statewide non-profit poverty advocacy organization; and

26 (6) a non-profit organization with a focus on poverty issues; and

27 (v) two individuals who are directly impacted by poverty in the state.

28 (c) The members of the advisory council shall receive no compensation  
29 for their services but shall be allowed their actual and necessary  
30 expenses incurred in the performance of their duties.

31 (d) The advisory council shall convene within sixty days after the  
32 effective date of this section. A quorum shall consist of a majority of  
33 the members of the advisory council entitled to vote on the matter under  
34 consideration. Approval of any matter shall require the affirmative vote  
35 of a majority of the members voting thereon. The advisory council shall  
36 adopt by-laws for the management and regulation of its affairs, includ-  
37 ing the creation of committees and subcommittees to effectuate the work  
38 required.

39 3. Appointments to the advisory council. (a) Appointments to the  
40 advisory council shall be made no later than forty-five days after the  
41 effective date of this section.

42 (b) If any such appointment is not made by such date, the appointing  
43 official may make the appointment after that date, but such vacant  
44 appointment shall not count for the calculation of a quorum until such  
45 vacancy is filled.

46 (c) Any vacancies in the advisory council shall be filled in the same  
47 manner as the original appointment was made.

48 4. Policy proposal review and recommendations. The advisory council  
49 shall:

50 (a) develop and publish a timeline, inclusive of yearly benchmarks,  
51 for reducing child poverty in the state by fifty percent in ten years.  
52 Such timeline shall be made publicly available.

53 (b) consider policy proposals that shall include, but not be limited  
54 to, the following proposals and release a report outlining the effect  
55 that the enactment of such proposals may have on the rate of childhood  
56 poverty in New York:

1 (i) expanding and strengthening the state's earned income tax credit  
2 to align with the state's minimum wage to cover individual taxpayer  
3 identification number filers and young, childless adults and to be paid  
4 out quarterly;

5 (ii) expanding and strengthening the state's child tax credit to  
6 include young children, and to eliminate the minimum income threshold;

7 (iii) expanding work training and employment programs in the state;

8 (iv) expanding access to subsidized housing; and

9 (v) expanding access to subsidized child care.

10 (c) investigate the effects that each of the proposals listed in para-  
11 graph (b) of this subdivision may have if enacted by itself, as well as  
12 the effect the proposals may have if enacted in conjunction with the  
13 other proposals. The advisory council shall include the cost to the  
14 state related to the implementation of such policies, as well as the  
15 projected savings in both the short and long term that the state could  
16 realize by reducing poverty.

17 (d) review agency programs that can be modified, suspended, or other-  
18 wise changed to immediately reduce the child poverty rate.

19 (e) deliver to the governor, the speaker of the assembly and the  
20 temporary president of the senate, reports containing the timeline  
21 required pursuant to paragraph (a) of this subdivision, the review of  
22 the policy proposals required pursuant to paragraph (b) of this subdivi-  
23 sion, the investigation of the effects of such policies pursuant to  
24 paragraph (c) of this subdivision and the review of agency programs  
25 required pursuant to paragraph (d) of this subdivision on or before six  
26 months from the effective date of this section.

27 (f) develop recommendations for additional policies and procedures to  
28 reduce the state's child poverty rate by fifty percent in ten years from  
29 the effective date of this section. In developing such policies and  
30 procedures, the advisory council shall consider:

31 (i) the disproportionate impact poverty may have on various racial  
32 and ethnic communities and what policies may assist in alleviating such  
33 disparities;

34 (ii) ways to improve access to public benefits for individuals regard-  
35 less of their immigration status;

36 (iii) policies that assist families to obtain and maintain financial  
37 stability, including policies that assist individuals with educational  
38 advancements as well as securing employment that provides a living wage;  
39 and

40 (iv) any other factors that may impact a family, parent, or child's  
41 ability to stay above the poverty level, including, but not limited to:

42 (1) stability and predictability of income;

43 (2) equitable and ready access to programs;

44 (3) equitable treatment across racial, immigration and ethnic groups;

45 (4) positive environmental conditions;

46 (5) the individual health and well-being of the parents and children;

47 and

48 (6) the cost to the state, including the short-term costs of the  
49 programs and the long-term savings from having such programs in place.

50 (g) deliver to the governor, the speaker of the assembly and the  
51 temporary president of the senate the recommendations of the advisory  
52 council as required pursuant to paragraph (f) of this subdivision on or  
53 before one year after the effective date of this section.

54 (h) release bi-annual reports starting June first, two thousand twen-  
55 ty-two, detailing the progress that the state has made in reducing the

1 child poverty rate in line with the recommendations set forth in this  
2 subdivision.

3 (i) collaborate with experts in the field of poverty research, utilize  
4 available data from other relevant statewide studies of poverty, and  
5 solicit input from stakeholder interests including, but not limited to  
6 persons impacted by poverty, non-profit organizations that assist those  
7 living in poverty, individuals or organizations that work to end racial  
8 disparities in New York, and child poverty advocacy organizations. The  
9 advisory council shall also conduct formal public hearings, which shall  
10 take place in at least four regions of the state, as defined by the  
11 empire state development corporation, and shall be offered during non-  
12 traditional hours to allow for persons unable to normally testify due to  
13 work requirements to so testify.

14 5. Implementation of recommendations. The legislature may utilize  
15 recommendations provided to prioritize the implementation of programs  
16 and services, as they deem appropriate, that would facilitate the goals  
17 of reducing child poverty by fifty percent over the next ten years from  
18 the effective date of this section.

19 6. Budget proposal review. No later than ten days after the governor  
20 offers any amendments to the executive budget submission pursuant to  
21 article seven of the constitution, the advisory council shall submit to  
22 the chairs of the senate finance committee and the assembly ways and  
23 means committee, a report analyzing the proposals contained within the  
24 executive budget submission that are expected by the advisory council to  
25 impact the child poverty rate.

26 7. Advisory council staff and agency liaison. (a) The commissioner of  
27 the office of temporary and disability assistance shall designate such  
28 employees of the office of temporary and disability assistance as are  
29 reasonably necessary to provide support services to the advisory coun-  
30 cil. The advisory council, acting by the chair of the advisory council,  
31 may employ additional staff and consultants, who shall be paid from  
32 amounts made available to the advisory council for such purpose.

33 (b) All state agencies, public authorities, and public benefit corpo-  
34 rations shall provide such assistance as may be reasonably requested by  
35 the chair of the advisory council. Provided however, any information  
36 provided shall be kept confidential and shall be used only for the  
37 specific purpose of effectuating the duties of the council.

38 8. Deliberations of the advisory council. The deliberations, meetings  
39 and other proceedings of the advisory council and any committee or  
40 subcommittee thereof shall be governed by article seven of the public  
41 officers law. Any one or more members of a committee or subcommittee may  
42 participate in a meeting of such committee or subcommittee by means of a  
43 conference telephone, conference video or similar communication or elec-  
44 tronic communication, provided that such communication allows all  
45 persons participating in the meeting, and all persons observing the  
46 meeting, including members of the public, to hear each other at the same  
47 time. Participation by such means shall constitute presence at a meet-  
48 ing. If a meeting other than an executive session is to be conducted by  
49 means of a conference telephone, conference video or similar communi-  
50 cation or electronic communication, the public notice for such meeting  
51 shall inform the public that such equipment will be used, and further  
52 identify the means by which the public may listen to such meeting.

53 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
54 sion, section, or part of this act shall be adjudged by any court of  
55 competent jurisdiction to be invalid, such judgment shall not affect,  
56 impair, or invalidate the remainder thereof, but shall be confined in

1 its operation to the clause, sentence, paragraph, subdivision, section  
2 or part thereof directly involved in the controversy in which such judg-  
3 ment shall have been rendered. It is hereby declared to be the intent of  
4 the legislature that this act would have been enacted even if such  
5 invalid provisions had not been included herein.

6 § 3. This act shall take effect immediately and shall expire and be  
7 deemed repealed ten years after such effective date.