

# STATE OF NEW YORK

7234

2021-2022 Regular Sessions

## IN SENATE

June 7, 2021

Introduced by BUDGET BILL -- (at request of the Budget) -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Finance

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, enact-  
ing the capital projects budget, in relation to making technical  
corrections thereto

The People of the State of New York, represented in Senate and Assem-  
bly, 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

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

LBD11809-01-1

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

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

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

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

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

1 of children and family services. Further,  
 2 the office of children and family services  
 3 shall provide technical assistance to the  
 4 pilot program to assist with program  
 5 administration and timely coordination of  
 6 the bi-monthly claiming process. Notwith-  
 7 standing any other provision of law, this  
 8 pilot program maintained herein may be  
 9 terminated if the administrator for such  
 10 program mismanages such program, by engag-  
 11 ing in actions including but not limited  
 12 to, improper use of funds, providing for  
 13 child care subsidies in excess of the  
 14 amount the subsidy funding appropriated  
 15 herein can support, and failing to submit  
 16 claims for reimbursement in a timely fash-  
 17 ion ..... 500,000  
 18 -----  
 19 Program account subtotal ..... 256,991,200  
 20 -----

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

25 DIVISION OF HOUSING AND COMMUNITY RENEWAL

26 CAPITAL PROJECTS 2021-22

27 ADAPTIVE REUSE AFFORDABLE HOUSING PROGRAM ..... 100,000,000  
 28 -----

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

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

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