

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
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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
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34 choose to use such subsidy to receive
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50 dren's services, and the legislature. Each
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55 co-payment levels, and any other informa-
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 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.