

# STATE OF NEW YORK

9029--A

## IN SENATE

May 4, 2022

Introduced by Sens. RAMOS, CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to the duration of child care assistance for eligible families

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

1 Section 1. Subdivision 3 of section 410-w of the social services law,  
2 as amended by chapter 569 of the laws of 2001, is amended to read as  
3 follows:

4 3. A social services district shall guarantee child care assistance to  
5 families in receipt of public assistance with children under thirteen  
6 years of age when such child care assistance is necessary for a parent  
7 or caretaker relative to engage in work or participate in work activ-  
8 ities pursuant to the provisions of title nine-B of article five of this  
9 chapter. Child care assistance shall continue to be guaranteed for such  
10 a family for a period of twelve months or may be provided by a social  
11 service district for a period up to twenty-four months, after the month  
12 in which the family's eligibility for public assistance has terminated  
13 or ended when such child care is necessary in order to enable the parent  
14 or caretaker relative to engage in work, provided that the family's  
15 public assistance has been terminated as a result of an increase in the  
16 hours of or income from employment or increased income from child  
17 support payments or because the family voluntarily ended assistance;  
18 that the family received public assistance in at least three of the six  
19 months preceding the month in which eligibility for such assistance  
20 terminated or ended or provided that such family has received child care  
21 assistance under subdivision four of this section; and that the family's  
22 income does not exceed two hundred percent of the state income standard.  
23 Such child day care shall recognize the need for continuity of care for  
24 the child and a district shall not move a child from an existing provid-  
25 er unless the participant consents to such move.

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

LBD13451-04-2

1 § 2. Subdivision 3 of section 410-w of the social services law, as  
2 amended by section 2 of part L of chapter 56 of the laws of 2022, is  
3 amended to read as follows:

4 3. A social services district shall guarantee child care assistance to  
5 families in receipt of public assistance with children under thirteen  
6 years of age when such child care assistance is necessary for a parent  
7 or caretaker relative to engage in work or participate in work activ-  
8 ities pursuant to the provisions of title nine-B of article five of this  
9 chapter. Child care assistance shall continue to be guaranteed for such  
10 a family for a period of twelve months or may be provided by a social  
11 service district for a period up to twenty-four months, after the month  
12 in which the family's eligibility for public assistance has terminated  
13 or ended when such child care is necessary in order to enable the parent  
14 or caretaker relative to engage in work, provided that the family's  
15 public assistance has been terminated as a result of an increase in the  
16 hours of or income from employment or increased income from child  
17 support payments or because the family voluntarily ended assistance;  
18 that the family received public assistance in at least three of the six  
19 months preceding the month in which eligibility for such assistance  
20 terminated or ended or provided that such family has received child care  
21 assistance under subdivision four of this section; that the family's  
22 income does not exceed two hundred percent of the state income standard,  
23 or three hundred percent of the state income standard effective August  
24 first, two thousand twenty-two; and that the family income does not  
25 exceed eighty-five percent of the state median income. Such child day  
26 care shall recognize the need for continuity of care for the child and a  
27 district shall not move a child from an existing provider unless the  
28 participant consents to such move.

29 § 3. Subdivision 5 of section 410-w of the social services law, as  
30 added by chapter 569 of the laws of 2001, is amended to read as follows:

31 5. a. A family eligible for child care assistance pursuant to subdivi-  
32 sion one of this section, unless such family voluntarily ends such  
33 assistance, shall be deemed eligible for a period of no less than twelve  
34 months from the date of the eligibility determination for such assist-  
35 ance and a social services district may elect to extend this period up  
36 to twenty-four months.

37 (b) A family eligible for child care assistance under paragraph (a) of  
38 subdivision one of this section shall suffer no break in child care  
39 services and shall not be required to reapply for such assistance so  
40 long as eligibility under subdivision three of this section continues.

41 § 4. This act shall take effect immediately; provided, however, that  
42 if section 2 of part L of chapter 56 of the laws of 2022 shall not have  
43 taken effect on or before such date, then section two of this act shall  
44 take effect on the same date and in the same manner as chapter 56 of the  
45 laws of 2022 takes effect.