

# STATE OF NEW YORK

5490--A

2021-2022 Regular Sessions

## IN ASSEMBLY

February 19, 2021

Introduced by M. of A. WALKER, WILLIAMS, COOK, DAVILA -- Multi-Sponsored by -- M. of A. SOLAGES -- read once and referred to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to establishing a program for financial transitional living services for foster children

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  
2 394 to read as follows:

3 § 394. Program for financial transitional living services for foster  
4 children. 1. The office of children and family services shall establish  
5 a program to assist foster children in the care, custody or guardianship  
6 of an authorized agency to achieve financial security and independence  
7 as the children transition to independent living.

8 2. The office of children and family services shall enter into an  
9 agreement with financial institutions to establish independent develop-  
10 ment savings accounts for foster children over the age of sixteen in the  
11 state. The agreement must:

12 (a) prohibit a foster child from withdrawing money from the savings  
13 account until the earlier of:

14 (i) the first anniversary of the date the first deposit is made into  
15 the savings account; or

16 (ii) the date the balance in the savings account first equals or  
17 exceeds two thousand dollars;

18 (b) authorize a foster child to withdraw money from the savings  
19 account only in person at the financial institution;

20 (c) provide that the balance in the savings account may not exceed two  
21 thousand dollars and establish procedures for the transfer or withdrawal  
22 of the amount of money that exceeds two thousand dollars when necessary;

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

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1 (d) require the office of children and family services and the finan-  
2 cial institution to work together to encourage the foster children  
3 participating in the program to open private savings accounts once the  
4 participants are no longer eligible for foster care services; and

5 (e) establish procedures to transfer ownership and control of the  
6 account to the participants exiting the program who are no longer eligi-  
7 ble for foster care services.

8 3. The office of children and family services shall seek to partner  
9 with other public and private entities to match the amounts of money  
10 deposited into the foster children's independent development savings  
11 accounts under the program. The matching funds must be deposited direct-  
12 ly into the child's savings account.

13 4. (a) The office of children and family services and the public or  
14 private entities selected as partners under subdivision three of this  
15 section shall jointly establish incentives to provide financial rewards  
16 to foster children for actions performed by the children, including, but  
17 not limited to, college visits or attendance at financial literacy and  
18 independent living classes.

19 (b) Foster children participating in the program shall be required to  
20 attend financial literacy and independent living classes. Such classes  
21 may include, but need not be limited to instruction on using checking  
22 and savings accounts, securing a loan for high cost items such as a  
23 motor vehicle or a home, obtaining and using credit and debit cards,  
24 investing and saving money, applying to post-secondary education  
25 programs, and securing housing and employment. Attendance and active  
26 participation in such classes shall entitle foster children to the  
27 financial incentives established under paragraph (a) of this subdivi-  
28 sion.

29 5. Money that may be deposited in a foster child's savings account  
30 established under this section includes:

31 (a) money earned by the child through employment or allowance;

32 (b) gift money;

33 (c) money deposited by the child's foster parent or by a parent or  
34 other relative of the child;

35 (d) money received from public or private entities selected as part-  
36 ners under subdivision three of this section as financial incentives or  
37 matching funds; and

38 (e) other money authorized under the department's agreement with the  
39 credit union.

40 6. The office of children and family services shall survey each foster  
41 child who enters and exits the program. The survey must be designed to  
42 assess any changes in the child's attitudes, perceptions, and knowledge  
43 about financial matters and independent living from the time the child  
44 entered the program until the child exited the program.

45 7. The office of children and family services shall complete no later  
46 than December thirty-first, two thousand twenty-three, and annually  
47 thereafter, an evaluation of the program.

48 8. The office of children and family services shall submit a report on  
49 the evaluation of the program conducted under subdivision seven of this  
50 section no later than April first, two thousand twenty-four, and annual-  
51 ly thereafter, to the governor, temporary president of the senate and  
52 speaker of the assembly.

53 § 2. This act shall take effect on the ninetieth day after it shall  
54 have become a law. Effective immediately, the addition, amendment and/or  
55 repeal of any rule or regulation necessary for the implementation of

1 this act on its effective date are authorized to be made and completed  
2 on or before such effective date.