

# STATE OF NEW YORK

8032

2021-2022 Regular Sessions

## IN ASSEMBLY

June 7, 2021

Introduced by M. of A. WEINSTEIN -- (at request of the Division of the Budget) -- read once and referred to the Committee on Ways and Means

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, enacting the capital projects budget, in relation to making technical corrections thereto

The People of the State of New York, represented in Senate and Assembly, 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  
18 in the child care facilitated enrollment

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

LBD11809-01-1

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

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

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

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

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

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

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

24 DIVISION OF HOUSING AND COMMUNITY RENEWAL

25 CAPITAL PROJECTS 2021-22

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

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

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

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