STATE OF NEW YORK

2755--C

Cal. No. 1191

2021-2022 Regular Sessions

IN SENATE

January 25, 2021

Introduced by Sens. RAMOS, BAILEY, BENJAMIN, BRESLIN, BRISPORT, BROUK, COMRIE, COONEY, GOUNARDES, HARCKHAM, HINCHEY, HOYLMAN, JACKSON, KRUEGER, MANNION, MAY, MAYER, RIVERA, SALAZAR, SAVINO, SEPULVEDA, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the social services law, in relation to establishing an advisory council to effectuate a reduction in child poverty in the state; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The social services law is amended by adding a new section 131-zz to read as follows:

§ 131-zz. Child poverty reduction. 1. Legislative findings. The legislature hereby declares that New York should take any steps necessary to reduce the overall child poverty rate by fifty percent in the next ten years. Nearly three million New Yorkers are living in poverty, eight hundred ninety-five thousand of which are children. In fact, one in five New York children struggle to meet basic needs, and although several efforts have been undertaken, the overall poverty rate in New York has failed to see a reduction over the last decade. The legislature finds that reducing child poverty will protect the health and general well-being of all New Yorkers. To effectuate this reduction, the child poverty reduction advisory council shall be established to research policy ideas, develop best practices, and continually monitor relevant

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

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benchmarks to ensure that New York continues to work towards reducing child poverty by fifty percent in ten years.

2. Child poverty reduction advisory council established. (a) To effectuate a reduction in child poverty in the state, there is hereby established an advisory council, to be known as the "child poverty reduction advisory council", hereafter referred to as the "advisory council". The advisory council shall carry out the required acts set forth in subdivision four of this section.

(b) The members of the advisory council shall be chaired by a representative of the executive chamber and the commissioner of the office of temporary and disability assistance, or their designees. Ensuring adequate geographic representation, members of the advisory council shall be appointed in the following manner:

(i) two members shall be appointed by the temporary president of the senate;

(ii) two members shall be appointed by the speaker of the assembly;

(iii) two members shall be appointed by the commissioner of the office of temporary and disability assistance;

(iv) at least one member shall be appointed by the governor from each of the following entities:

(1) the office of children and family services;

(2) the New York state council on children and families;

(3) the department of taxation and finance;

(4) a regional economic development council;

(5) a statewide non-profit poverty advocacy organization; and

(6) a non-profit organization with a focus on poverty issues; and

(v) two individuals who are directly impacted by poverty in the state.

(c) The members of the advisory council shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

(d) The advisory council shall convene within sixty days after the effective date of this section. A quorum shall consist of a majority of the members of the advisory council entitled to vote on the matter under consideration. Approval of any matter shall require the affirmative vote of a majority of the members voting thereon. The advisory council shall adopt by-laws for the management and regulation of its affairs, including the creation of committees and subcommittees to effectuate the work required.

3. Appointments to the advisory council. (a) Appointments to the advisory council shall be made no later than forty-five days after the effective date of this section.

(b) If any such appointment is not made by such date, the appointing official may make the appointment after that date, but such vacant appointment shall not count for the calculation of a quorum until such vacancy is filled.

(c) Any vacancies in the advisory council shall be filled in the same manner as the original appointment was made.

4. Policy proposal review and recommendations. The advisory council shall:

(a) develop and publish a timeline, inclusive of yearly benchmarks, for reducing child poverty in the state by fifty percent in ten years. Such timeline shall be made publicly available.

(b) consider policy proposals that shall include, but not be limited to, the following proposals and release a report outlining the effect that the enactment of such proposals may have on the rate of childhood poverty in New York:

(i) expanding and strengthening the state's earned income tax credit to align with the state's minimum wage to cover individual taxpayer identification number filers and young, childless adults and to be paid out quarterly;

(ii) expanding and strengthening the state's child tax credit to include young children, and to eliminate the minimum income threshold;

(iii) expanding work training and employment programs in the state;

(iv) expanding access to subsidized housing; and

(v) expanding access to subsidized child care.

(c) investigate the effects that each of the proposals listed in paragraph (b) of this subdivision may have if enacted by itself, as well as the effect the proposals may have if enacted in conjunction with the other proposals. The advisory council shall include the cost to the state related to the implementation of such policies, as well as the projected savings in both the short and long term that the state could realize by reducing poverty.

(d) review agency programs that can be modified, suspended, or otherwise changed to immediately reduce the child poverty rate.

(e) deliver to the governor, the speaker of the assembly and the temporary president of the senate, reports containing the timeline required pursuant to paragraph (a) of this subdivision, the review of the policy proposals required pursuant to paragraph (b) of this subdivision, the investigation of the effects of such policies pursuant to paragraph (c) of this subdivision and the review of agency programs required pursuant to paragraph (d) of this subdivision on or before six months from the effective date of this section.

(f) develop recommendations for additional policies and procedures to reduce the state's child poverty rate by fifty percent in ten years from the effective date of this section. In developing such policies and procedures, the advisory council shall consider:

(i) the disproportionate impact poverty may have on various racial and ethnic communities and what policies may assist in alleviating such disparities;

(ii) ways to improve access to public benefits for individuals regardless of their immigration status;

(iii) policies that assist families to obtain and maintain financial stability, including policies that assist individuals with educational advancements as well as securing employment that provides a living wage; and

(iv) any other factors that may impact a family, parent, or child's ability to stay above the poverty level, including, but not limited to:

(1) stability and predictability of income;

(2) equitable and ready access to programs;

(3) equitable treatment across racial, immigration and ethnic groups;

(4) positive environmental conditions;

(5) the individual health and well-being of the parents and children; and

(6) the cost to the state, including the short-term costs of the programs and the long-term savings from having such programs in place.

(g) deliver to the governor, the speaker of the assembly and the temporary president of the senate the recommendations of the advisory council as required pursuant to paragraph (f) of this subdivision on or before one year after the effective date of this section.

(h) release bi-annual reports starting June first, two thousand twenty-two, detailing the progress that the state has made in reducing the

child poverty rate in line with the recommendations set forth in this subdivision.

(i) collaborate with experts in the field of poverty research, utilize available data from other relevant statewide studies of poverty, and solicit input from stakeholder interests including, but not limited to persons impacted by poverty, non-profit organizations that assist those living in poverty, individuals or organizations that work to end racial disparities in New York, and child poverty advocacy organizations. The advisory council shall also conduct formal public hearings, which shall take place in at least four regions of the state, as defined by the empire state development corporation, and shall be offered during non-traditional hours to allow for persons unable to normally testify due to work requirements to so testify.

5. Implementation of recommendations. The legislature may utilize recommendations provided to prioritize the implementation of programs and services, as they deem appropriate, that would facilitate the goals of reducing child poverty by fifty percent over the next ten years from the effective date of this section.

6. Budget proposal review. No later than ten days after the governor offers any amendments to the executive budget submission pursuant to article seven of the constitution, the advisory council shall submit to the chairs of the senate finance committee and the assembly ways and means committee, a report analyzing the proposals contained within the executive budget submission that are expected by the advisory council to impact the child poverty rate.

7. Advisory council staff and agency liaison. (a) The commissioner of the office of temporary and disability assistance shall designate such employees of the office of temporary and disability assistance as are reasonably necessary to provide support services to the advisory council. The advisory council, acting by the chair of the advisory council, may employ additional staff and consultants, who shall be paid from amounts made available to the advisory council for such purpose.

(b) All state agencies, public authorities, and public benefit corporations shall provide such assistance as may be reasonably requested by the chair of the advisory council. Provided however, any information provided shall be kept confidential and shall be used only for the specific purpose of effectuating the duties of the council.

8. Deliberations of the advisory council. The deliberations, meetings and other proceedings of the advisory council and any committee or subcommittee thereof shall be governed by article seven of the public officers law. Any one or more members of a committee or subcommittee may participate in a meeting of such committee or subcommittee by means of a conference telephone, conference video or similar communication or electronic communication, provided that such communication allows all persons participating in the meeting, and all persons observing the meeting, including members of the public, to hear each other at the same time. Participation by such means shall constitute presence at a meeting. If a meeting other than an executive session is to be conducted by means of a conference telephone, conference video or similar communication or electronic communication, the public notice for such meeting shall inform the public that such equipment will be used, and further identify the means by which the public may listen to such meeting.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section, or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in

its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed ten years after such effective date.