STATE OF NEW YORK

1852

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. JEAN-PIERRE, COOK, DICKENS, FAHY, JOYNER, VANEL, WALSH, WILLIAMS, OTIS, SIMON, RAMOS, THIELE, REYES, L. ROSENTHAL, RA, CRUZ, BUTTENSCHON -- read once and referred to the Committee on Children and Families

AN ACT to direct the office of children and family services to examine, evaluate and make recommendations on the availability of child day care and child care assistance, and determine the unmet need of child care subsidies; 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. 1. The office of children and family services shall examine, evaluate and make recommendations concerning the availability of funding for day care for children in the state. Such office shall pay particular attention to the impact of the lack of necessary child day care upon the ability of working families to achieve self-sufficiency and a better standard of living.

The office of children and family services shall direct its attention to:

(a) establishing an inventory of child day care for working families and those at or near poverty;

(b) identifying child day care shortage areas on a regional basis and providing projections of the future demand of the next five to ten years for child day care based on the regional birth rates, employment and population growth rates;

(c) comparing on a statewide and regional basis, the demand for child day care services over the succeeding five to ten years, including whether the projected growth rate in the child day care industry will be sufficient to meet such future needs;

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

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(d) offering recommendations to the department of labor and any other relevant agencies as to how the labor force can help meet the projected shortage;

(e) identifying policies that would encourage the establishment and operation of more child day care center providers, and increasing the capacity of existing child day care providers;

(f) assessing the cost to parents and guardians of day care for children on a regional basis, including the availability of government funds for parents and guardians toward child care costs;

(g) identifying which social services districts have insufficient funding to serve all eligible families and determining whether they are receiving no new cases or restricting eligibility based upon set income levels;

(h) reviewing the number and percentage of eligible families receiving child care subsidies in this state, as compared to other states, and report on any policy approaches in use in other states that could be useful for consideration in this state;

(i) identifying which social services districts maintain waiting lists for eligible families seeking child care subsidies;

(j) calculating the total sum of families statewide that are awaiting child care subsidies and the projected fiscal impact to the state if all eligible families are served;

(k) comparing the income levels of families receiving child care subsidies on a regional basis to determine what inequities exist across the state;

(l) examining the use of child care funding by local social services districts to provide transportation to child care and determining the unmet need for this service;

(m) identifying policies that would encourage and facilitate expansion of quality child day care services by neighbors and in communities where the working poor live and/or work; and identifying and quantifying those factors that contribute to establishing quality child day care in communities with the greatest need; and

(n) examining the feasibility of implementing a standard family share percentage for child care cost co-payments across the state.

2. (a) Each social services district shall submit data regarding the income of families who applied for child care assistance pursuant to this act to the department, specifying:

(i) the number of families who were denied;

(ii) the number of families who received such assistance; and

(iii) a listing of the incomes pursuant to subparagraph (ii) of paragraph (b) of this subdivision of the families who applied for such assistance.

(b) Each social services district shall submit data regarding the number of all families who applied for and received child care assistance pursuant to this act whose:

(i) incomes were under one hundred one percent of the federal poverty level for their family size;

(ii) incomes were between one hundred one percent and one hundred fifty percent of the federal poverty level for their family size; and

(iii) incomes were between one hundred fifty-one percent and two hundred percent of the federal poverty level for their family size.

(c) Each social services district shall submit data regarding the number of all families who applied for and were denied child care assistance pursuant to this act whose:

(i) incomes were under one hundred one percent of the federal poverty level for their family size;

(ii) incomes were between one hundred one percent and one hundred fifty percent of the federal poverty level for their family size; and

(iii) incomes were between one hundred fifty-one percent and two hundred percent of the federal poverty level for their family size.

§ 2. The office of children and family services may request and shall receive any available information from state agencies that is relevant and material to the study required by section one of this act.

§ 3. Within twelve months of the effective date of this act, the commissioner of children and family services shall submit a report, to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, the minority leader of the assembly, and the child care availability task force established pursuant to section 390-k of the social services law, on the office's findings, conclusions and recommendations, and shall submit therewith such legislative proposals as the office of children and family services shall deem necessary to implement its recommendations. In addition, such office shall make such report available to the public and post it on the internet website operated by the office.

§ 4. This act shall take effect immediately, and shall expire and be deemed repealed one year after such date.