STATE OF NEW YORK

4099

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. CLARK -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to establishing a statewide presumptive eligibility standard for the receipt of child care assistance

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

Section 1. Paragraphs (d) and (e) of subdivision 1 of section 410-w of the social services law, as amended by section 2 of part L of chapter 56 of the laws of 2022, are amended and a new paragraph (f) is added to read as follows:

(d) families with incomes up to two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two, who are attending a post secondary educational program; provided, the family income does not exceed eighty-five percent of the state median income; [~~and~~]

(e) other families with incomes up to two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two, which the social services district designates in its consolidated services plan as eligible for child care assistance in accordance with criteria established by the department; provided, the family income does not exceed eighty-five percent of the state median income[~~.~~]**; and**

(f) families receiving child care assistance under a presumptive eligibility standard, pursuant to subdivision three-a of this section.

§ 2. Section 410-w of the social services law is amended by adding a new subdivision 3-a to read as follows:

3-a. (a) A social services district shall utilize a presumptive eligibility standard to provide child care assistance to families in need.

(b) Upon application for child care assistance, with included documentation required by a local social services district, a family shall be

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

LBD04768-01-3

presumed eligible for such assistance for a period of thirty to sixty days. A local social services district shall make eligibility determinations within thirty to sixty days, to ensure applicants meet necessary criteria for continued assistance.

(c) If a social services district has not made eligibility determinations after a period of thirty to sixty days has elapsed, a family shall continue to be presumed eligible for assistance. For eligibility determinations made after such a period has elapsed, the local social services district shall utilize local funds for such assistance during the period of presumed eligibility.

(d) If a family has been determined to be presumptively eligible for child care assistance, pursuant to this subdivision, and is subsequently determined to be ineligible for such assistance, the local social services district shall have the authority to utilize block grant funds for such assistance during the period of presumed eligibility.

(e) A social services district shall provide child care assistance to families under a presumptive eligibility standard, using child care block grant funds, pursuant to paragraph (f) of subdivision one of this section.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.