

# STATE OF NEW YORK

4599

2023-2024 Regular Sessions

## IN SENATE

February 13, 2023

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to fingerprinting employees of informal child care providers

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  
2 390-n to read as follows:

3 § 390-n. Fingerprinting employees of informal child care providers. 1.  
4 For purposes of this section, "informal child care provider" means a  
5 program in a facility, other than a residence, in which child care is  
6 provided on a regular basis and is not required to be licensed by or  
7 registered with the office or licensed by the city of New York.  
8 Informal child care providers include, but are not limited to:

9 (a) nursery schools and programs for pre-school-aged children operated  
10 by non-profit agencies or organizations or private proprietary agencies  
11 which provide services for three or less hours per day;

12 (b) child care programs caring for not more than six school-aged chil-  
13 dren during non-school hours. For purposes of this paragraph,  
14 "school-aged children" means children under thirteen years of age who  
15 are enrolled in kindergarten or a higher grade;

16 (c) child care programs caring for toddlers from eighteen months to  
17 thirty-six months of age for three or less hours per day; and

18 (d) child care programs caring for infants up to eighteen months of  
19 age for three or less hours per day.

20 2. Any informal child care provider may, as a condition of securing  
21 employment or of continuing employment, require that all of its employ-  
22 ees be fingerprinted. Such fingerprints shall be submitted to the divi-  
23 sion of criminal justice services for a state criminal history record  
24 check, as defined in subdivision one of section three thousand thirty-

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

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1 five of the education law, and may be submitted to the federal bureau of  
2 investigation for a national criminal history record check.  
3 § 2. This act shall take effect immediately.