STATE OF NEW YORK

982

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

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

AN ACT to amend the social services law, in relation to determination of eligibility for child care assistance benefits; and to amend a chapter of the laws of 2022 amending the social services law relating to the duration of child care assistance for eligible families, as proposed in legislative bills numbers S. 9029-A and A. 10209-A, in relation to the effectiveness thereof

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

Section 1. Subdivision 3 of section 410-w of the social services law, as amended by section 2 of a chapter of the laws of 2022 amending the social services law relating to the duration of child care assistance for eligible families, as proposed in legislative bills numbers S. 9029-A and A. 10209-A, is amended to read as follows:

3. A social services district shall guarantee child care assistance to families in receipt of public assistance with children under thirteen years of age when such child care assistance is necessary for a parent or caretaker relative to engage in work or participate in work activities pursuant to the provisions of title nine-B of article five of this chapter. Child care assistance shall continue to be guaranteed for such a family for a period of twelve months or**, upon approval by the office,** may be provided by a social [~~service~~] **services** district for a period up to twenty-four months, after the month in which the family's eligibility for public assistance has terminated or ended when such child care is necessary in order to enable the parent or caretaker relative to engage in work, provided that the family's public assistance has been terminated as a result of an increase in the hours of or income from employment or increased income from child support payments or because the family voluntarily ended assistance; that the family received public assistance in at least three of the six months preceding the month in

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

LBD04038-01-3

which eligibility for such assistance terminated or ended or provided that such family has received child care assistance under subdivision four of this section; that the family's income does not exceed two hundred percent of the state income standard, or three hundred percent of the state income standard effective August first, two thousand twenty-two; and that the family income does not exceed eighty-five percent of the state median income. Such child day care shall recognize the need for continuity of care for the child and a district shall not move a child from an existing provider unless the participant consents to such move.

§ 2. Subdivision 5 of section 410-w of the social services law, as amended by a chapter of the laws of 2022 amending the social services law relating to the duration of child care assistance for eligible families, as proposed in legislative bills numbers S. 9029-A and A. 10209-A, is amended to read as follows:

5. [~~a.~~] **(a)** A family eligible for child care assistance pursuant to subdivision one of this section, unless such family voluntarily ends such assistance, shall be deemed eligible for a period of no less than twelve months from the date of the eligibility determination for such assistance [~~and a~~]**, provided the family income does not exceed eighty-five percent of the state median income. A** social services district may [~~elect to~~] extend this period **to** up to twenty-four months**, provided the family income does not exceed eighty-five percent of the state median income**.

(b) A family eligible for child care assistance under paragraph (a) of subdivision one of this section shall suffer no break in child care services and shall not be required to reapply for such assistance so long as eligibility under subdivision three of this section continues.

§ 3. Section 4 of a chapter of the laws of 2022 amending the social services law relating to the duration of child care assistance for eligible families, as proposed in legislative bills numbers S. 9029-A and A. 10209-A, is amended to read as follows:

§ 4. This act shall take effect [~~immediately; provided, however, that if section 2 of part L of chapter 56 of the laws of 2022 shall not have taken effect on or before such date, then section two of this act shall take effect on the same date and in the same manner as chapter 56 of the laws of 2022 takes effect~~] **on the ninetieth day after it shall have become a law. Effective immediately, the office of children and family services may make any rules and regulations as may be necessary to implement the provisions of this act on or before the effective date**.

§ 4. This act shall take effect immediately; provided that sections one and two of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the social services law relating to the duration of child care assistance for eligible families, as proposed in legislative bills numbers S. 9029-A and A. 10209-A, takes effect.