STATE OF NEW YORK

2038--A

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sens. BRISPORT, CLEARE, COONEY, GOUNARDES, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to increasing from $300 a month to $725 a month the rent subsidy payable to a foster child living independently

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

Section 1. Paragraph (c) of subdivision 5 of section 409-a of the social services law, as amended by chapter 624 of the laws of 2019, is amended to read as follows:

(c) **(i)** Notwithstanding any other provision of this section, where a social services official determines that a lack of adequate housing is the primary factor preventing the discharge of a child or children from foster care including, but not limited to, children with the goal of discharge to independent living, preventive services shall include, in addition to any other payments or benefits received by the family, special cash grants in the form of rent subsidies, including rent arrears, or any other assistance, sufficient to obtain adequate housing. Such rent subsidies or assistance shall not exceed the sum of [~~three~~] **seven** hundred **twenty-five** dollars per month, shall not be provided for a period of more than three years, **may be provided up to age twenty-four for youth discharged from foster care,** and shall be considered a special grant. Nothing in this paragraph shall be construed to limit the ability of those using such rent subsidy to live with roommates. The provisions of this paragraph shall not be construed to limit such official's authority to provide other preventive services.

(ii) Provided, however, that for each fiscal year beginning after the effective date of this subparagraph, the commissioner shall set the

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

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maximum amount for such rent subsidies or assistance pursuant to subparagraph (i) of this paragraph at the amount of the previous fiscal year indexed to any positive growth in the consumer price index as set by the United States bureau of labor statistics.

§ 2. Subdivision 7 of section 409-a of the social services law, as amended by chapter 624 of the laws of 2019, is amended to read as follows:

7. **(a)** Notwithstanding any other provision of this section, if a social services official determines that a lack of adequate housing is a factor that may cause the entry of a child or children into foster care and the family has at least one service need other than lack of adequate housing, preventive services may include, in addition to any other payments or benefits received by the family, special cash grants in the form of rent subsidies, including rent arrears, or any other assistance, sufficient to obtain adequate housing. Such rent subsidies or assistance shall not exceed the sum of [~~three~~] **seven** hundred **twenty-five** dollars per month, shall not be provided for a period of more than three years, **may be provided up to age twenty-four for youth discharged from foster care,** and shall be considered a special grant. Nothing in this subdivision shall be construed to limit the ability of those using such rent subsidy to live with roommates. The provisions of this paragraph shall not be construed to limit such official's authority to provide other preventive services.

(b) Provided, however, that for each fiscal year beginning after the effective date of this paragraph, the commissioner shall set the maximum amount for such rent subsidies or assistance pursuant to paragraph (a) of this subdivision at the amount of the previous fiscal year indexed to any positive growth in the consumer price index as set by the United States bureau of labor statistics.

§ 3. This act shall take effect immediately.