

STATE OF NEW YORK

4667--A

Cal. No. 146

2023-2024 Regular Sessions

IN SENATE

February 13, 2023

Introduced by Sens. BROUK, CHU, COONEY, JACKSON, MAY, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the social services law, in relation to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance

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

1 Section 1. Subdivision 3-a of section 410-w of the social services
2 law, as added by section 1 of part DD of chapter 56 of the laws of 2023,
3 is amended to read as follows:

4 3-a. A local social services district [~~may, upon notification to the~~
5 ~~office,~~ **shall** utilize a presumptive eligibility standard to provide
6 child care assistance, in accordance with this subdivision. The office
7 of children and family services shall issue guidance regarding the
8 preliminary eligibility criteria to be used by local social services
9 districts utilizing a presumptive eligibility standard.

10 (a) A local social services district [~~opting to utilize a presumptive~~
11 ~~eligibility standard,~~] shall, upon receipt of an application for child
12 care assistance, including all completed documentation required by the
13 district, complete a preliminary eligibility determination.

14 (b) If the family meets the preliminary eligibility criteria, the
15 family shall be presumed eligible for child care assistance for the
16 period from the date of the application to the date of the final eligi-
17 bility determination.

18 (c) [~~If, upon final determination, a family is determined to be eligi-~~
19 ~~ble for child care assistance under subdivision one or four of this~~

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

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1 ~~section, the social services district may utilize child care block grant~~
2 ~~funds for the presumptive eligibility period.~~

3 ~~(d) If, upon final determination, a family is determined to be ineli-~~
4 ~~gible for child care assistance under subdivision one or four of this~~
5 ~~section, the social services district must utilize local funds for the~~
6 ~~presumptive eligibility period.~~

7 ~~(e)]~~ A local social services district may utilize child care block
8 grant funds for the presumptive eligibility period.

9 (d) If, upon final determination, the application for child care
10 services is denied, the social services district shall send written
11 notice to the applicant of the determination of ineligibility and of the
12 applicant's right to a fair hearing in accordance with the regulations
13 of the office.

14 § 2. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on and after May 3, 2024.