STATE OF NEW YORK

915

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

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 the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance; and to amend a chapter of the laws of 2024 amending the social services law relating to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance, as proposed in legislative bills numbers S. 4667-A and A. 4099-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-a of section 410-w of the social services law, as amended by a chapter of the laws of 2024 amending the social services law relating to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance, as proposed in legislative bills numbers S. 4667-A and A. 4099-A, is amended to read as follows:

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

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

(b) If the family meets the preliminary eligibility criteria, the family shall be presumed eligible for child care assistance for the

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

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period from the date of the application to the date of the final eligibility determination.

(c) A local social services district may utilize child care block grant funds for the presumptive eligibility period **to the extent permitted by federal law**.

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

§ 2. Section 2 of a chapter of the laws of 2024 amending the social services law relating to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance, as proposed in legislative bills numbers S. 4667-A and A. 4099-A, is amended to read as follows:

§ 2. This act shall take effect [~~immediately and shall be deemed to have been in full force and effect on and after May 3, 2024~~] **on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date**.

§ 3. This act shall take effect immediately; provided however, that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the social services law relating to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance, as proposed in legislative bills numbers S. 4667-A and A. 4099-A, takes effect.