

# STATE OF NEW YORK

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5154

2025-2026 Regular Sessions

## IN ASSEMBLY

February 12, 2025

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Introduced by M. of A. SIMON, COOK, VANEL, WALSH, WILLIAMS, OTIS, RAMOS, REYES, ROSENTHAL, RA, CRUZ, BUTTENSCHON -- read once and referred to the Committee on Children and Families

AN ACT to direct the office of children and family services to examine, evaluate and make recommendations on the availability of child day care and child care assistance, and determine the unmet need of child care subsidies; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. 1. The office of children and family services shall exam-  
2 ine, evaluate and make recommendations concerning the availability of  
3 funding for day care for children in the state. Such office shall pay  
4 particular attention to the impact of the lack of necessary child day  
5 care upon the ability of working families to achieve self-sufficiency  
6 and a better standard of living.  
7 The office of children and family services shall direct its attention  
8 to:  
9 (a) establishing an inventory of child day care for working families  
10 and those at or near poverty;  
11 (b) identifying child day care shortage areas on a regional basis and  
12 providing projections of the future demand of the next five to ten years  
13 for child day care based on the regional birth rates, employment and  
14 population growth rates;  
15 (c) comparing on a statewide and regional basis, the demand for child  
16 day care services over the succeeding five to ten years, including  
17 whether the projected growth rate in the child day care industry will be  
18 sufficient to meet such future needs;  
19 (d) offering recommendations to the department of labor and any other  
20 relevant agencies as to how the labor force can help meet the projected  
21 shortage;

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

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1 (e) identifying policies that would encourage the establishment and  
2 operation of more child day care center providers, and increasing the  
3 capacity of existing child day care providers;

4 (f) assessing the cost to parents and guardians of day care for chil-  
5 dren on a regional basis, including the availability of government funds  
6 for parents and guardians toward child care costs;

7 (g) identifying which social services districts have insufficient  
8 funding to serve all eligible families and determining whether they are  
9 receiving no new cases or restricting eligibility based upon set income  
10 levels;

11 (h) reviewing the number and percentage of eligible families receiving  
12 child care subsidies in this state, as compared to other states, and  
13 report on any policy approaches in use in other states that could be  
14 useful for consideration in this state;

15 (i) identifying which social services districts maintain waiting lists  
16 for eligible families seeking child care subsidies;

17 (j) calculating the total sum of families statewide that are awaiting  
18 child care subsidies and the projected fiscal impact to the state if all  
19 eligible families are served;

20 (k) comparing the income levels of families receiving child care  
21 subsidies on a regional basis to determine what inequities exist across  
22 the state;

23 (l) examining the use of child care funding by local social services  
24 districts to provide transportation to child care and determining the  
25 unmet need for this service;

26 (m) identifying policies that would encourage and facilitate expansion  
27 of quality child day care services by neighbors and in communities where  
28 the working poor live and/or work; and identifying and quantifying those  
29 factors that contribute to establishing quality child day care in commu-  
30 nities with the greatest need; and

31 (n) examining the feasibility of implementing a standard family share  
32 percentage for child care cost co-payments across the state.

33 2. (a) Each social services district shall submit data regarding the  
34 income of families who applied for child care assistance pursuant to  
35 this act to the department, specifying:

36 (i) the number of families who were denied;

37 (ii) the number of families who received such assistance; and

38 (iii) a listing of the incomes pursuant to subparagraph (ii) of para-  
39 graph (b) of this subdivision of the families who applied for such  
40 assistance.

41 (b) Each social services district shall submit data regarding the  
42 number of all families who applied for and received child care assist-  
43 ance pursuant to this act whose:

44 (i) incomes were under one hundred one percent of the federal poverty  
45 level for their family size;

46 (ii) incomes were between one hundred one percent and one hundred  
47 fifty percent of the federal poverty level for their family size; and

48 (iii) incomes were between one hundred fifty-one percent and two  
49 hundred percent of the federal poverty level for their family size.

50 (c) Each social services district shall submit data regarding the  
51 number of all families who applied for and were denied child care  
52 assistance pursuant to this act whose:

53 (i) incomes were under one hundred one percent of the federal poverty  
54 level for their family size;

55 (ii) incomes were between one hundred one percent and one hundred  
56 fifty percent of the federal poverty level for their family size; and

1 (iii) incomes were between one hundred fifty-one percent and two  
2 hundred percent of the federal poverty level for their family size.

3 § 2. The office of children and family services may request and shall  
4 receive any available information from state agencies that is relevant  
5 and material to the study required by section one of this act.

6 § 3. Within twelve months of the effective date of this act, the  
7 commissioner of children and family services shall submit a report, to  
8 the governor, the temporary president of the senate, the speaker of the  
9 assembly, the minority leader of the senate, and the minority leader of  
10 the assembly, on the office's findings, conclusions and recommendations,  
11 and shall submit therewith such legislative proposals as the office of  
12 children and family services shall deem necessary to implement its  
13 recommendations. In addition, such office shall make such report avail-  
14 able to the public and post it on the internet website operated by the  
15 office.

16 § 4. This act shall take effect immediately, and shall expire and be  
17 deemed repealed one year after such date.