MEMORANDUM OF SUPPORT

A. 8878 (Hevesi)/ S.8152 (Brisport)

PROVIDE EQUITABLE ACCESS TO CHILD CARE FOR CHILDREN WHOSE PARENTS WORK NON-TRADITIONAL HOURS

When a parent or caretaker applies for a child care subsidy, social services districts limit the scope of hours approved to correspond to the parent or caregiver’s hours of work with a small amount of time added for transportation. When parents work irregular or split shifts or non-traditional hours, or if the parents or caregivers combine work with education and training, approvals are limited - the children’s attendance is split into parts of days, resulting in disruption for the children and transportation difficulties for the parents.

In 2022, the legislature attempted to correct this inequity and passed A.7661/S.6655-A. which was signed into law on December 16, 2022 as Ch. 694 of the Laws of 2022. As indicated by the sponsor’s memo to S.5327A/A.4986A, the goal of the 2022 legislation was to expand access to child care for children whose parents had non-traditional work schedules, but due to a technical drafting error, the applicability of the bill was limited to child care funded only with local funds. Because child care for working families is provided by a rich mix of federal and state dollars, the bill signed into law last year applies to few, if any children, and fails to accomplish its goal. New legislation was introduced in the 2022-2023 session S.5327A (Brisport) /A.4986A (Hevesi) that corrected the problem with clarifying language about the bill’s purpose and applicability. In 2023, that bill passed the Legislature with overwhelming support. Unfortunately, the Governor vetoed the bill on December 23, 2023.
The Empire Justice Center strongly supports this bill. Given the delayed effective date of May 30, 2025, the bill will have no budget impact this year.

The passage of this bill will provide the children of parents who work irregular or non-traditional hours with consistent care, allowing the children to thrive and their parents to succeed. New York State’s children deserve nothing less.

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