



Annual Report 2024

New York State Senate
Standing Committee on

Children and Families

SENATOR JABARI BRISPORT

Chair

Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

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CHILDREN AND FAMILIES
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**THE SENATE
STATE OF NEW YORK**



JABARI BRISPORT
SENATOR, 25TH DISTRICT

ALBANY OFFICE
ROOM 805
LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
PHONE: (518) 455-3451
FAX: (518) 426-6854
DISTRICT OFFICE
906 BROADWAY, 2ND FL.
BROOKLYN, NY 11206
PHONE: (718) 643-6140
FAX: (718) 237-4137
E-MAIL: BRISPORT@NYSENATE.GOV

December 10, 2024

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Children & Families for the 2024 Legislative Session. As Chair, I am proud to continue to lead our efforts to address the important matters under my committee's jurisdiction, and to carry on this important work. During the 2024 session, this committee reported twenty-five bills, with seven of those bills passing both houses. The bills that we have passed are the result of the tireless work of our community of advocates, labor leaders, parents, and administrators. These advocates, and our committee members, have all worked hard to address important issues in New York State, including problems of child poverty, unnecessary family separations, and an ongoing crisis in our child care system. The passage through the Senate of the Anti-Harassment in Reporting bill (S.902B/A.2479A) has been a particular highlight from this past year, and I am very grateful to see both houses pass legislation to provide presumptive eligibility for child care (S.4667A/4099A). There is still much to be done, and I look forward to working collaboratively on these issues and others in 2025.

This past year, our committee has been particularly focused on more closely examining our child protective services ("CPS") agencies and family court system. After holding a joint hearing with the Judiciary Committee this past year, we issued a [joint report](#) regarding the problems facing our family court system, and made various recommendations regarding both the annual budget process and prospective legislation. We also hosted guests from Texas, as well as law professor and sociologist Dorothy Roberts, to speak about important issues regarding New York's CPS system. We have maintained close relationships with members of the New York State Child Poverty Reduction Advisory Council, as well as the Child Care Availability Task Force, to make sure that our work on this committee is focused and meaningful, responding to the substantial problems we face

as a state. It has always been important for this committee to engage in meaningful deliberation, and to carefully examine the problems we face.

Through this dedicated work, the Children & Families Committee has helped to move forward a package of bills this year that helps to ease some of the burdens of the child care crisis in the state. For instance, our committee passed legislation regarding presumptive eligibility for child care assistance, and to “decouple” child care assistance from certain burdensome barriers. Legislation that we have advanced regarding “differential payment rates” was also incorporated into this past year’s budget. Likewise, with respect to CPS reform, I am very proud to see that the Senate passed the Anti-Harassment in Reporting bill (S.902B/A.2479A), and I am looking forward to quickly re-passing this bill in the coming year.

There is still much work to do. New York State’s child care providers are barely hanging on by a thread, closing down at unacceptably high rates and enduring poverty wages that are clearly unsustainable. At the same time, New York State’s Black and Brown families are suffering from race and class prejudice—particularly in Article 10 cases of alleged “neglect,” where the struggles of poverty are all too often treated punitively rather than compassionately—at the hands of our CPS agencies and courts. We have continued our discussions and collaborations with all agencies and stakeholders since the end of the last session day this past year, particularly regarding reforms to our CPS systems, and I am eager to start our work again in January 2025.

I thank my colleagues who served on the Committee for their support, and for their work in fighting for a fair budget for child care workers. If we continue to all work together, we can achieve a truly universal child care system, reform New York State’s family policing system, and achieve a more just juvenile legal system. I want to thank the Majority Conference for all their assistance this past year, and staff members Jessica Keenan, Julia Bertolino, and Lahmar Louis in particular.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Br".

Sen. Jabari Brisport (NY-25)

2024 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON CHILDREN AND FAMILIES

**Senator Jabari Brisport
Chairperson**

Committee Members

Jamaal Bailey

Samra Brouk

Brad Hoylman-Sigal

Roxanne Persaud

Ranking Member

Rob Rolison

Jacob Ashby

Committee Staff

Jessica Keenan, Assistant Deputy
Counsel

Julia Bertolino, Associate Counsel

Lahmar Louis, Deputy Secretary
of the Finance committee

James Ostaszewski, Committee
Director

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Children and Families has legislative oversight responsibilities for issues concerning child care, foster care, child abuse, adoptions, custody and support, neglect and visitation, juvenile delinquency, determinations of any need of supervision, and protective and preventive services.

During the 2024 Legislative Session, one hundred and thirty-two bills were referred to the Committee for its review. Of these bills, twenty-five were reported from the Committee. Twelve of those bills were passed by the Senate, and seven were passed in both houses. A list of all bills that were reported from the committee is provided at the end of this report.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2024:

- **Anti-Harassment in Reporting.** Following several legislative hearings, and the advice of experts in the field, this legislation would prevent people from abusing the state central registry system through the use of anonymous reports.
- **Presumptive Eligibility for Child Care.** This legislation establishes a statewide presumptive eligibility standard where upon application for child care assistance, with included documentation, a family shall be presumed eligible for such assistance for a period of thirty to sixty days.
- **Child Care Decoupling.** This bill, which has passed the Legislature but has not yet been acted upon by the Governor, would “decouple” New York State’s child care assistance from restrictive and unnecessary work requirements, and therefore make child care assistance more available, and with fewer restrictions.
- **Reforming Youth Interrogation.** This legislation seeks to prevent coercive interrogation of young people by the police, as in the case of the “Exonerated Five” young people who were falsely accused of a terrible crime in Central Park. This bill passed the committee, but has not yet been acted on by the full Senate.

TWO HOUSE BILLS

In 2024, seven of the bills referred to the Standing Committee on Children & Families passed both houses of the Legislature

BILL	SPONSOR	SUMMARY	SIGNIFICANT ACT
S04667A	BROUK	<p>Presumptive Eligibility for Child Care Assistance. This legislation establishes a statewide presumptive eligibility standard where upon application for child care assistance, with included documentation required by a local social services district, a family shall be presumed eligible for such assistance for a period of thirty to sixty days.</p>	Substituted By A4099A - Chaptered 549
S06288	HINCHEY	<p>Melanie's Law. This legislation allows courts to issue orders of protection for immediate family members or household members of the named victims, regardless of age.</p>	Chaptered 541
S06357B	MANNION	<p>Distance Learning for CPS Workers. This legislation would allow for CPS workers to complete certain required training through distance learning methods.</p>	Substituted By A7341B - Chaptered 470
S07452A	PERSAUD	<p>Council on Children and Families. This legislation establishes a council on children and families within the executive department, moving the council from the office of children and family services and authorizing the governor to designate the executive director.</p>	Substituted By A8322A - Chaptered 235

S08152A BRISPORT

Decoupling Child Care Access from Work Schedules. Under current law, LSSDs are permitted to provide child care to residents if there is sufficient funding and the family is eligible to receive the service. Federal law does not require that child care assistance be strictly linked to a parent’s work schedule, but New York has imposed that requirement. As a result, it is very difficult for parents to access child care (e.g., when they have a doctor’s appointment, have complications with commuting, have odd work schedules, etc.). This legislation would help low-income, homeless and other families on public assistance who are working part time, have rotating schedules, or who are participating in educational and vocational activities, by “decoupling” child care assistance from these unnecessary restrictions.

Vetoed
Memorandum 104

S08724B HOYLMAN-
SIGAL

Safe Landings Act. This legislation enacts the "safe landings for youth leaving foster care act" or "safe landings act", which provides protections for youth transitioning out of foster care who bring certain legal proceedings.

Delivered to Governor

S08745 PERSAUD

Adoption Subsidies. This legislation authorizes the social services department to terminate the subsidies that may be provided to a parent who adopts a disabled or hard to place child under certain circumstances.

Substituted By
A3580A - Delivered
to Governor

SUMMARY OF COMMITTEE ACTIVITY

In addition to the bills discussed above, the Children & Families Committee and full Senate confirmed the nomination of Dr. DaMia Harris-Madden as Commissioner of the New York State Office of Children and Family Services in May 2024.

BILL	SPONSOR	SUMMARY	SIGNIFICANT ACT
S00600	SALAZAR	Inspection of Residential Juvenile Detention Facilities. This legislation would authorize the Correctional Association to inspect residential juvenile detention facilities throughout the state.	Passed the Senate
S00902B	BRISPORT	Anti-Harassment in Reporting. Following several legislative hearings, and the advice of experts in the field, this legislation would prevent people from abusing the state central registry system through the use of anonymous reports.	Passed the Senate
S01099A	BAILEY	Reforming Procedures for Custodial Interrogation of Children. This legislation, seeks to prevent coercive interrogation of young people by the police, as in the case of the “Exonerated Five” young people who were falsely accused of a terrible crime in Central Park, by establishing reasonable safeguards and procedures for youth interrogations.	Reported to Senate Finance
S01210	PERSAUD	Diaper Cost Allowances. This legislation would allow for TANF-eligible families to receive allowances for the costs of diapers, up to \$80 for a three-month period. This bill passed the Senate previously, but did not get called to a full floor vote this year.	Reported to Senate Finance
S01605	SERRANO	Eliminating Background Check Costs for Non-Profit Mentoring Programs. Under New York law, non-profit mentoring programs are required to conduct certain background checks that can, at times, be expensive. This legislation would provide such criminal history background checks free of charge to mentoring programs operated by not-for-profit corporations.	Passed the Senate
S02120A	BAILEY	Juvenile Delinquency Discovery. This legislation would reform the discovery provisions applicable to juvenile delinquency proceedings in family court with regard to the timing of discovery, disclosure prior to certain guilty pleas, DNA evidence, court orders, and the admissibility of evidence.	Reported to Senate Finance

S02674	FERNANDEZ	Preventing Homeless Youth from Aging Out of Shelter Services. This legislation would increase the maximum age at which a homeless youth can continue to receive shelter services, from twenty-one to twenty-four. This legislation would be particularly important for LGBT youth, allowing them three more years of services to create a cleaner transitional period.	Senate Rules
S03104A	BRISPORT	Expunging Juvenile Delinquency Records. It is well-settled that it would be "antithetical to the purpose of the Family Court Act to maintain records which would not benefit society and would result in bringing unwarranted discrimination to a child's future." Dorothy D. v. New York City Prob. Dep't, 49 N.Y.2d 212, 215 (1980). Accordingly, following passage of the Clean Slate Act, this legislation seeks to expunge unnecessary and prejudicial juvenile delinquency records in appropriate cases.	Reported to Senate Judiciary
S04078	BRISPORT	Differential Response Programs. This legislation would require that social services districts establish differential response programs for child protection assessments and investigations programs, upon authorization from the office of children and family services.	Reported to Senate Finance
S04079	BRISPORT	Differential Payment Rates for Child Care Providers. This legislation would provide differential payment rates for child care services provided by licensed, registered or enrolled child care providers for those providing care to children experiencing homelessness, or during nontraditional hours, or in other situations deemed appropriate by a local social services district.	Reported to Senate Finance
S04578A	RAMOS	Establishing the Mothers and Infants Lasting Change Allowance. This legislation would provide income to eligible participants for the last three months of pregnancy and the first 18 months of the child's life. The legislation would also exclude such income for purposes of supplemental nutrition assistance program eligibility.	Reported to Senate Finance

S04667A	BROUK	Presumptive Eligibility for Child Care Assistance. This legislation establishes a statewide presumptive eligibility standard where upon application for child care assistance, with included documentation required by a local social services district, a family shall be presumed eligible for such assistance for a period of thirty to sixty days.	Substituted By A4099A - Chaptered 549
S06288	HINCHEY	Melanie's Law. This legislation allows courts to issue orders of protection for immediate family members or household members of the named victims, regardless of age.	Chaptered 541
S06357B	MANNION	Distance Learning for CPS Workers. This legislation would allow for CPS workers to complete certain required training through distance learning methods.	Substituted By A7341B - Chaptered 470
S07204	ROLISON	Consumer Directed Pilot Program. This legislation would direct the commissioner of the office of children and family services to establish a "consumer directed childcare pilot program" for up to five counties with populations between 160,000 and 300,000.	Reported to Senate Social Services
S07452A	PERSAUD	Council on Children and Families. This legislation establishes a council on children and families within the executive department, moving the council from the office of children and family services and authorizing the governor to designate the executive director.	Substituted By A8322A - Chaptered 235
S07506A	HOYLMAN-SIGAL	Preventing Discrimination for Gender-Affirming Care. This legislation would declares that a law authorizing a child to be removed from their parent or guardian based on the parent or guardian allowing their child to receive gender-affirming care is against the public policy of this state. This legislation relates to forum in domestic relations cases.	Passed the Senate
S07743	BRISPORT	Defining "Critical Violations" for Child Care Providers. This legislation defines "critical violations" of applicable statutes and regulations by child care providers licensed or registered by the office of children and family services, and reforms the levels of sanctions and penalties for such violations.	Reported to Senate Finance

S07784	WEBB	Child Care Fingerprinting. This legislation relates to the fingerprinting of prospective child day care employees and sharing fingerprint results, to allow the State Education Department to share the background check results of individuals who have had their fingerprints taken by SED, and who are applying for employment at child day care centers or school age child care providers.	Senate Rules
S07815A	RIVERA	Inspection of Child Care Facilities. This legislation would require that inspections of child day care homes, programs and facilities include the full premises, and require providers of a family day care home or group family day care home to disclose to the office of children and family services all persons who reside in the home where child day care is being provided. This legislation would also require all providers of child day care to receive training for, provide and maintain onsite opioid antagonists for use during emergencies.	Passed the Senate
S08152A	BRISPORT	Decoupling Child Care Access from Work Schedules. Under current law, LSSDs are permitted to provide child care to residents if there is sufficient funding and the family is eligible to receive the service. Federal law does not require that child care assistance be strictly linked to a parent’s work schedule, but New York has imposed that requirement. As a result, it is very difficult for parents to access child care (e.g., when they have a doctor’s appointment, have complications with commuting, have odd work schedules, etc.). This legislation would help low-income, homeless and other families on public assistance who are working part time, have rotating schedules, or who are participating in educational and vocational activities, by “decoupling” child care assistance from these unnecessary restrictions.	Vetoed Memorandum 104
S08661A	HOYLMAN-SIGAL	Supervised Visitation. This legislation directs the office of children and family services, in consultation with the office for the prevention of domestic violence, to establish a statewide supervised visitation initiative including culturally sensitive services that provide language access for those who need it and that are affordable for those with limited means to pay.	Reported to Senate Finance

S08724B HOYLMAN-SIGAL **Safe Landings Act.** This legislation enacts the "safe landings for youth leaving foster care act" or "safe landings act", which provides protections for youth transitioning out of foster care who bring certain legal proceedings. Delivered to Governor

S08745 PERSAUD **Adoption Subsidies.** This legislation authorizes the social services department to terminate the subsidies that may be provided to a parent who adopts a disabled or hard to place child under certain circumstances. Substituted By A3580A - Delivered to Governor

S09210B HOYLMAN-SIGAL **Foster Agency Liability.** This legislation extends liability of certain agencies for negligence in the placement of a child in the authorized agency's custody, or in the supervision of a foster home or foster parents. Reported to Senate Judiciary



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Children and Families**