

Memorandum in Support
A.8878 (Hevesi)/S.8152 (Brisport)

The Schuyler Center for Analysis and Advocacy supports and respectfully urges passage of S.8152 to decouple child care assistance from parents' work hours. An identical bill - S.5327A/A.4986A - passed the Legislature in 2023 with overwhelming support and was vetoed by the Governor on December 23, 2023, citing fiscal reasons. Notably, a nearly identical bill passed the Legislature in 2022 with overwhelming support, and was signed by the Governor, but was written in a way that limited its applicability.

Enactment of A.8878/S.8152 (referred to as the "decoupling bill") will dismantle a significant barrier that keeps New York's families from accessing the care they need. New York State continues to tie parents' exact hours of work to the care and education that children can receive when using child care assistance. This is detrimental to children's wellbeing, denying them the consistent early education and predictable schedules that allow them to thrive. It is also a continued burden on the lowest-income New Yorkers – including those who work part time, have inconsistent or rotating schedules, are homeless, or work in the growing gig economy. Ending this harmful restriction will be a significant milestone on the path to building a system of universal child care that meets the needs of all families.

Unfortunately, this decoupling bill – widely supported by the child care community – has become a source of disappointment and frustration for parents, child care providers, and advocates. Due to a drafting error, the 2022 version of the bill (S.6655A/A.7661) which was signed into law in 2022, limited child care assistance outside of parents' hours of work to support from **local** funds. Within the current financing structure of our child care system – which does not segregate funding by source (local, state, or federal) – creating the infrastructure to fund this initiative locally is all but impossible for most localities. As a result, the bill has been rendered essentially, if not entirely, ineffective. Further, there is nothing in the law governing federal child care assistance that requires New York to only provide federally-funded child care assistance during the exact hours a parent is engaged in work or another approved activity.

New legislation was introduced in the 2022-2023 session 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 with a note that it should be addressed in the context of the budget. The Assembly and Senate both included decoupling in their one-house budgets; the final enacted budget did not.**

We welcome the reintroduction of this critical legislation and will work with legislative leaders to ensure this time, this year, this bill is enacted. By paying child care providers what they deserve and continuing to break down barriers like these that prevent families from accessing the care they need, New York can lead the way in building the best child care system in the nation.

The Schuyler Center, a 152-year-old statewide, nonprofit organization dedicated to policy analysis and advocacy in support of public systems that meet the needs of disenfranchised populations and people living in poverty **urges the Legislature to pass A.8878/S.8152.**

May 9, 2024