Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to unconditional direct cash assistance pilot programs

Sponsors: Crystal Hudson, Carlina Rivera, Public Advocate Jumaane Williams, Nantasha M. Williams, Tiffany Cabán, Shahana K. Hanif, Selvena N. Brooks-Powers, Gale A. Brewer, Rita C. Joseph, Alexa Avilés, Sandy Nurse, Pierina Ana Sanchez, Kristin Richardson Jordan, Farah N. Louis, Amanda Farías, Julie Won

Indexes: Report Required

Attachments: 1. Summary of Int. No. 561-B, 2. Summary of Int. No. 561-A, 3. Summary of Int. No. 561, 4. Int. No. 561, 5. July 14, 2022 - Stated Meeting Agenda, 6. Hearing Transcript - Stated Meeting 7-14-22, 7. Minutes of the Stated Meeting - July 14, 2022, 8. Proposed Int. No. 561-A - 6/2/23, 9. Committee Report 6/7/23 (PDF), 10. Committee Report 6/7/23 (WORD), 11. Hearing Testimony 6/7/23, 12. Hearing Transcript 6/7/23, 13. Proposed Int. No. 561-B - 6/15/23, 14. Committee Report 6/22/23, 15. Hearing Transcript 6/22/23, 16. June 22, 2023 - Stated Meeting Agenda, 17. Hearing Transcript - Stated Meeting 6-22-23, 18. Minutes of the Stated Meeting - June 22, 2023, 19. Int. No. 561-B (FINAL), 20. Fiscal Impact Statement, 21. Local Law 105, 22. Legislative Documents - Letter to the Mayor

Date	Ver.	Action By	Action	Result
7/14/2022	*	City Council	Introduced by Council	
7/14/2022	*	City Council	Referred to Comm by Council	
6/7/2023	*	Committee on General Welfare	Hearing Held by Committee	
6/7/2023	*	Committee on General Welfare	Amendment Proposed by Comm	
6/7/2023	*	Committee on General Welfare	Laid Over by Committee	
6/22/2023	*	Committee on General Welfare	Hearing Held by Committee	
6/22/2023	*	Committee on General Welfare	Amendment Proposed by Comm	
6/22/2023	*	Committee on General Welfare	Amended by Committee	
6/22/2023	B	Committee on General Welfare	Approved by Committee	Pass
6/22/2023	B	City Council	Approved by Council	Pass
6/22/2023	B	City Council	Sent to Mayor by Council	
7/23/2023	B	Administration	City Charter Rule Adopted	
7/25/2023	B	City Council	Returned Unsigned by Mayor	

Int. No. 561-B

By Council Members Hudson and Rivera, the Public Advocate (Mr. Williams), and Council Members Williams, Cabán, Hanif, Brooks-Powers, Brewer, Joseph, Avilés, Nurse, Sanchez, Richardson Jordan, Louis, Farías and

Won

A Local Law to amend the administrative code of the city of New York, in relation to unconditional direct cash assistance pilot programs

Be it enacted by the Council as follows:

Section 1. Title 21 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

UNCONDITIONAL DIRECT CASH ASSISTANCE

§ 21-931 Legislative findings. a. The council hereby finds that over 40 percent of New Yorkers are affected by poverty or near poverty; that residents of impoverished communities are at increased risk for housing instability and homelessness, mental illness, chronic disease, and lower life expectancy; that in the city of New York, significant differences in poverty rates across race, ethnicity, and gender have persisted for many years as a result of historic and ongoing systemic inequalities; that child poverty affects nearly 1 in 4 children aged 0 to 3 years in the city of New York; that poverty is more likely to affect children, foster youth, young adults, and families of color as well as female-headed households; that single mothers of young children are more likely to drop out of the work force or work low-paid jobs, and to report that they would seek higher paid work if they could access childcare, compared to mothers in two-parent households; that economic disadvantage in a child's early years has a profound effect on subsequent health, development, and educational attainment; that young adults aging out of foster care in the city of New York face significant barriers to education, employment, and access to housing; that over 4,500 young adults experience homelessness and housing instability in the city of New York each night; that many local and federal policies that were effective in reducing housing instability and child poverty during the COVID-19 pandemic have been discontinued, causing a rebound in homelessness and child poverty; that studies suggest that unconditional direct cash transfer programs offer a cost-effective tool that, in combination with other public benefits programs, can reduce short- and long-term poverty and its negative effects while improving recipients' well-being across a

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range of domains; and that additional evidence is needed to determine what characteristics of unconditional direct cash transfer programs are most effective, and to what extent, in reducing poverty and its negative effects while supporting the well-being of children, families, young adults, and other vulnerable individuals.

b. The Council recognizes the value of pilot programs that study and evaluate the impact and potential benefits of unconditional direct cash payments on eligible participants' quality of life; the importance of individualized counseling for eligible participants' understanding of the potential effects of such payments on other public benefits that they may receive; and the benefits of collecting consistent, meaningful data about participants and the impacts of unconditional direct cash transfer payments in the context of different program designs. The Council seeks to maximize the utility of such programs and assessments to inform future policymaking.

§ 21-932 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Benefits counseling. The term "benefits counseling" means individualized counseling offered to potential pilot program participants concerning the foreseeable effects of participation in a pilot program on an individual's eligibility for any other public benefits or assistance the individual receives or could receive.

Eligible participant. The term "eligible participant" means an individual who, at the time of entering a pilot program:

1. Resides in the city and either:

(a) Resides in a household that has an annual gross income of no more than 80 percent of the area median income, as defined annually by the United States department of housing and urban development (HUD) for the New York, NY HUD Metro FMR Area (FMRA), adjusted for the size of the household; or

(b) Is a runaway youth or a homeless youth as defined in section 532-a of the executive law; or

2. Meets the eligibility requirements established by a pilot program, so long as those requirements are not less restrictive than those set forth in this definition.

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Existing approved pilot program. The term "existing approved pilot program" means an unconditional direct cash transfer pilot program operating in the city that has obtained an income disregard waiver from the New York state office of temporary and disability assistance that has been submitted by the department of social services.

Implementing agency. The term "implementing agency" means an agency that administers or funds a pilot program.

Participant. The term "participant" means an individual who receives cash payments through a pilot program.

Pilot program. The term "pilot program" means an unconditional direct cash transfer pilot program that receives city funding pursuant to section 21-933.

Provider. The term "provider" means a person or entity that has entered into a contract or other agreement with the city, or receives city funding, to administer a pilot program.

Relevant agencies. The term "relevant agencies" means, as applicable, the department of social services, the department of consumer and worker protection, the department of youth and community development, the center for innovation through data intelligence, the mayor's office of data analytics, the mayor's office of economic opportunity, any successor of an agency specified in this definition and any other relevant agency.

§ 21-933 Unconditional direct cash assistance; authorization. a. Subject to appropriation, the city may establish or fund, in whole or in part, 1 or more pilot programs for the provision of unconditional direct cash payments to eligible participants. Any such program shall offer benefits counseling to each participant before providing direct cash payments. City funds made available in accordance with this chapter may be used to provide incentives to take part in research activities and to cover other research costs associated with such pilot program.

b. The city, in accordance with applicable procurement requirements, may select a provider to administer a pilot program.

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§ 21-934 Voluntariness. All assessments and evaluations of participants for purposes of this chapter shall be voluntary and subject to participants' informed consent.

§ 21-935 Impact evaluation. a. Research plan and methods. A pilot program shall include a research plan that uses 1 or more methods of scientific research to enable such program to assess the impacts and potential benefits of unconditional direct cash payments, and to evaluate outcomes that may be relevant to future policymaking. Such research methods may include, but are not limited to, surveys of participants, interviews, focus groups, or other narrative methods; an assessment of participants' experiences with program implementation or processes; statistical analysis; or a combination of approaches.

b. Participant assessment. The research plan developed pursuant to subdivision a of this section shall assess the impacts of the pilot program on participants and, where appropriate, other members of their households. Such assessment shall include, as applicable, assessment of participant outcomes on education, employment, food security, physical and mental health, access to stable housing, income level, financial well-being, and experiences with and access to public benefits.

c. Program assessment. The research plan developed pursuant to subdivision a of this section shall include, at minimum, an annual assessment of pilot program administration effectiveness and participant outcomes.

d. Existing programs. Notwithstanding any contrary provision of this section, if the city funds an existing approved pilot program, the research plan of a pilot program that has received approval from the office of temporary and disability assistance shall be deemed to meet the requirements of this subdivision.

§ 21-936 Reports. a. Copies of any reports submitted to the office of temporary and disability assistance pursuant to section 300.11 of title 18 of the New York codes, rules and regulations, or any successor entity, in connection with a pilot program shall also be furnished to the mayor and the speaker of the council at the same time as they are submitted to such office or entity.

b. Not later than 12 months following the last payment disbursed pursuant to section 21-933, the

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implementing agency or provider, as applicable, shall submit a report on such pilot program to the mayor and speaker of the council. The information in such report shall be aggregated and anonymized and shall include, as applicable, the following:

1. A description of the pilot program's key activities, including the following information on implementation fidelity:

(a) The dollar amount, frequency, and form of the direct cash payments provided to participants;

(b) The number of payments received by participants through the pilot program;

(c) The length of time participants have been enrolled in a pilot program;

(d) A classification of how city funds allocated to the pilot program were spent, in the following categories: (i) funds used for direct cash payments that were not research incentives; (ii) funds used for research incentives for participants; (iii) funds used for other research costs; and (iv) funds used for administrative costs or costs not otherwise classified under this subparagraph; and

(e) Summary findings of the annual program assessment required pursuant to subdivision c of section 21-935, where not otherwise included in reports submitted pursuant to subdivision a of this section; and

2. Recommendations, including the research basis for such recommendations, for improving future pilot programs and city policy for future unconditional direct cash transfer programs, including, as applicable, with respect to the size, number, and frequency of payments, criteria for eligible participants, and any additional research questions concerning the effective design of unconditional direct cash transfer programs that future programs or city policy might consider or address.

c. Follow-up evaluations; report appendix. 1. To the extent practicable, the implementing agency, or the provider, as applicable, shall evaluate the impact of such pilot program on participants' use of public assistance, income, housing, health or any other criterion set forth in such program's research plan 2 years and 5 years following the cessation of payments from such pilot program, or at such time as is set forth in the research plan of such pilot program. If the time specified is other than 2 years and 5 years following cessation, such

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implementing agency, or the provider, as applicable, shall provide a written explanation for the choice of time period to the speaker of the council.

2. For each pilot program, the implementing agency or provider, as applicable, shall develop an appendix to the report submitted pursuant to subdivision b of this section that includes anonymized information collected during the follow-up evaluations and shall submit such appendix, along with any updated recommendations, to the mayor and speaker of the council and publish such appendix on the implementing agency's website, as applicable, no later than 1 year after the relevant data is collected.

d. Meta-analysis and blueprint report. On or before March 1, 2027, and every third year thereafter if data has been generated under this chapter in the preceding 3 years, the center for innovation through data intelligence, or any successor office for inter-agency research and data analysis on the provision of human services, shall coordinate with each implementing agency and provider, as relevant, to conduct a meta-analysis of findings from pilot programs relating to participant outcomes, models and processes employed, lessons learned through each pilot program, a description of implementation challenges and efforts made to address such challenges, if any, and recommendations with respect to structuring and implementation of future pilot programs or any other potential unconditional direct cash transfer program. Such meta-analysis shall be submitted to the mayor and speaker of the council.

§ 21-937 Data sharing; privacy. a. For the duration of each pilot program and related reporting under this chapter, the relevant agencies shall share relevant data with the implementing agency and, in connection with subdivision d of section 21-936, the center for innovation through data intelligence, or any successor office for inter-agency research and data analysis on the provision of human services.

b. No information that would otherwise be required to be reported pursuant to a provision of this chapter shall be reported if it would violate any applicable provision of federal, state, or local law relating to the privacy, confidentiality, use, or disclosure of that information.

§ 21-938 Effect on other public benefits or assistance programs. a. Except as otherwise required by

applicable law, and to the extent permissible under applicable law, cash payments provided to eligible households pursuant to this chapter shall not be considered income or resources for purposes of determining eligibility for any other public benefits or assistance programs administered by the city.

b. For each pilot program that receives city funding pursuant to section 21-933, the commissioner of social services shall petition the New York state commissioner of social services or, as applicable, the New York state commissioner of health to grant any state waivers, seek any waivers from other state agencies, and seek any federal waivers that may be necessary to exclude payments provided to an individual through a pilot program under this chapter for the purposes of eligibility determinations for any public benefits or assistance program where such a waiver may be granted, as appropriate for the eligible participants of a particular pilot program. Where applicable, the commissioner shall consult with relevant agencies and the provider in relation to submitting such petitions. A failure to secure a waiver shall not affect the city's authority to establish or fund a guaranteed income pilot program subject to the requirements of this chapter.

§ 21-939 Effect on other laws. Nothing in this chapter shall be construed to limit the authority of the city to sponsor, conduct, or participate in the operation of research and demonstration projects approved by the office of temporary and disability assistance pursuant to section 300.11 of title 18 of the New York codes, rules and regulations, provided that for each such research and demonstration project that meets the definition of a pilot program in section 21-932, the agency sponsoring, conducting, or participating in such project shall comply with section 21-936.

§ 2. This local law takes effect immediately.

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