

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2026**

No. 121

Introduced by Council Members Gutiérrez, Riley, Won, Avilés, P. Sanchez, Hanif, Brewer, Stevens, Lee, Joseph, De La Rosa, Krishnan, Nurse, Restler, Cabán, Louis, Ossé, Hudson, Abreu, Farías, Marte, Zhuang, J. Sanchez, Ung, Epstein, Aldebol, Banks, Hanks, Narcisse, Wilson, Schulman, Dinowitz, Feliz, Brooks-Powers, Maloney, Gennaro and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President).

A LOCAL LAW

To amend the New York city charter, in relation to establishing an office of child care and early childhood education to oversee the planning and implementation of child care for any child who resides in the city at no cost to a parent, stepparent, guardian, or relative of such child

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-v to read as follows:

§ 20-v Office of child care and early childhood education. a. Definitions. As used in this section, the following terms have the following meanings:

Center-based child care. The term “center-based child care” means child care provided by a child care program pursuant to article 47 of the New York city health code, or a successor provision.

Child care. The term “child care” means care that is provided: (i) for a child between the ages of 6 weeks and 5 years; (ii) on a regular basis; (iii) at a premises other than a residence of such child; (iv) for less than 24 hours per day, and (v) by a person other than the parent, stepparent,

guardian, or relative within the third degree of consanguinity of the parents or stepparents of such child.

Early childhood education. The term “early childhood education” means programming that serves a child between the ages of 6 weeks and 5 years and who has not reached kindergarten, where such programming is operated by, or pursuant to a contract with, the department of education.

Executive director. The term “executive director” means the executive director of the office of child care and early childhood education.

Home-based child care. The term “home-based child care” means child care provided by a child care program pursuant to parts 416 and 417 of title 18 of the New York codes, rules and regulations, regarding group family day care homes and family day care homes, or a successor provision.

Office. The term “office” means the office of child care and early childhood education.

b. The mayor shall establish an office of child care and early childhood education. Such office may be established in the executive office of the mayor, or as a separate office, or within any other office of the mayor, or within any department the head of which is appointed by the mayor. Such office shall be headed by an executive director who shall be appointed by the mayor or the head of such department or office.

c. Powers and duties. The executive director shall have the power and duty to:

1. Develop recommendations to assist the mayor in planning and implementing child care for any child who resides in the city at no cost to a parent, stepparent, guardian, or relative of such child;

2. *Coordinate assistance for and provide information to families seeking child care, and post on the office's website information about no cost or low cost child care, including a list of center-based child care and home-based child care and other relevant programs and providers in the designated citywide languages as defined in subdivision a of section 23-1101 of the administrative code;*

3. *Facilitate interagency communication and collaboration among relevant agencies, including, but not limited to, the department of health and mental hygiene, department of buildings, human resources administration, fire department, department of city planning, administration for children's services, department of education, and the New York city school construction authority to deliver to current and prospective providers of child care guidance and support regarding the process to open and operate a program to provide child care, including center-based child care and home-based child care, and information about compliance with relevant laws and regulations;*

4. *Support relevant agencies in promoting providers of child care that offer child care services on nights and weekends, and support expanding such services, including by identifying the neighborhoods that would most benefit from such services;*

5. *Assess and make recommendations to the mayor to address any gaps in access to continuity of child care in the setting of a family's choice;*

6. *Make recommendations to the mayor regarding a model of child care that considers the following:*

(a) *Costs a provider incurs to deliver child care based on a consideration of the cost of living, including relevant annual adjustments, for owners and employees of programs that provide child care, including wages and benefits for such employees that are commensurate with wages and*

benefits of employees of the department of education with similar experience, credentials, and competency, and other measures of equity as determined by the executive director;

(b) Creation of new, or expansion of existing, grant programs to provide funding to open or maintain a location that provides child care; and

(c) Existing funding and new sources of funding to support the delivery of high-quality, developmentally appropriate child care and early childhood education;

7. Support the department of citywide administrative services and any other relevant agencies in identifying potential locations for the provision of child care in areas of the city with insufficient access to child care, including, but not limited to, identifying spaces in commercial and community facilities that could be converted into a space for the provision of child care, estimating the costs of converting such spaces, and by reviewing all notices provided pursuant to section 4-213 of the administrative code;

8. Support relevant agencies in developing training programs for providers of child care in the designated citywide languages as defined in section 23-1101 of the administrative code, including training for the care of children with disabilities;

9. Support relevant agencies in developing a workforce development program in child care and early childhood education;

10. Support relevant agencies in developing and implementing an education and outreach campaign to inform city residents about the availability of child care, including for families in shelters, families who have a parent or child with a disability, families who have an undocumented parent or child, and families in hospitals and birth centers;

11. Coordinate with relevant agencies to conduct studies regarding areas of the city where needs for child care are increasing, birth trends in the city, and the impact of such trends on needs for child care in the city;

12. Request and consider feedback from providers and families on the office's work;

13. Coordinate with the department of health and mental hygiene, the department of buildings, the administration for children's services, the department of education, and other agencies, task forces and commissions as necessary to perform the duties of the office;

14. Assist in the development and implementation of policies regarding the provision of high-quality child care and early childhood education; and

15. Perform other duties as the mayor may assign.

d. Reporting. No later than September 1, 2027, and annually thereafter, the executive director shall submit to the mayor and the speaker of the council, and post on the office's website, a report that describes the office's activities and the state of child care in the city, including, but not limited to:

1. The cost and availability of child care in the city; the demand for child care in the city; the sufficiency of the workforce in child care and early childhood education in the city; and the efforts by the office to oversee the planning and implementation of child care for any child who resides in the city at no cost to a parent, stepparent, guardian, or relative of such child;

2. Recommendations made pursuant to subdivision c of this section;

3. Workforce development and professional development programs in child care and early childhood education; and

4. A list of locations identified pursuant to the review required by paragraph 7 of subdivision c of this section.

§ 2. This local law takes effect September 1, 2026.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 30, 2026 and returned unsigned by the Mayor on July 31, 2026.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 121 of 2026, Council Int. No. 580-A of 2026) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

MOLLY MURPHY, Acting Corporation Counsel.