

HB0277S01 compared with HB0277

~~text~~ shows text that was in HB0277 but was deleted in HB0277S01.

text shows text that was not in HB0277 but was inserted into HB0277S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ashlee Matthews proposes the following substitute bill:

CHILD CARE ELIGIBILITY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the child care subsidy provisions of the Employment Support Act.

Highlighted Provisions:

This bill:

- ▶ defines "income" and "income-eligible child";~~and~~
- ▶ provides criteria for an income-eligible child to be eligible for a child care subsidy or grant through the Employment Support Act~~.~~; and
- ▶ modifies the Office of Child Care's rulemaking authority to allow the office to make rules on prioritizing awards of a child care subsidy or grant.

Money Appropriated in this Bill:

None

Other Special Clauses:

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None

Utah Code Sections Affected:

AMENDS:

35A-3-201, as last amended by Laws of Utah 2015, Chapter 221

35A-3-203, as last amended by Laws of Utah 2020, Chapter 354

ENACTS:

35A-3-209, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **35A-3-201** is amended to read:

35A-3-201. Definitions.

As used in this part:

(1) "Child care" means the child care services defined in Section 35A-3-102 for:

- (a) children age 12 or younger; and
- (b) children with disabilities age 18 or younger.

(2) "Child care provider association" means an association:

(a) that has functioned as a child care provider association in the state for at least three years; and

(b) is affiliated with a national child care provider association.

(3) "Committee" means the Child Care Advisory Committee created in Section 35A-3-205.

(4) "Director" means the director of the Office of Child Care.

(5) (a) "Income" means gross income, whether earned or unearned, as defined by rule made in accordance with Section 35A-3-203.

(b) "Income" does not include:

(i) income from means-tested programs, including:

(A) Temporary Assistance to Needy Families;

(B) the Social Security Act; and

(C) the Supplemental Nutrition Assistance Program;

(ii) in-kind income;

(iii) scholarship, grant, or bona fide loan money;

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(iv) a federal or state income tax credit; or

(v) a nonrecurring lump sum benefit.

(6) "Income-eligible child" means a child whose:

(a) family income does not exceed 85% of state median income for a family of the same size; and

(b) family assets do not exceed the limit established by the office through rule created in accordance with Section 35A-3-203.

~~(5)~~ (7) "Office" means the Office of Child Care created in Section 35A-3-202.

Section 2. Section 35A-3-203 is amended to read:

35A-3-203. Functions and duties of office -- Annual report.

The office shall:

(1) assess critical child care needs throughout the state on an ongoing basis and focus its activities on helping to meet the most critical needs;

(2) provide child care subsidy services for income-eligible children through age 12 and for income-eligible children with disabilities through age 18;

(3) provide information:

(a) to employers for the development of options for child care in the work place; and

(b) for educating the public in obtaining quality child care;

(4) coordinate services for quality child care training and child care resource and referral core services;

(5) apply for, accept, or expend gifts or donations from public or private sources;

(6) provide administrative support services to the committee;

(7) work collaboratively with the following for the delivery of quality child care, early childhood programs, and school age programs throughout the state:

(a) the State Board of Education; and

(b) the Department of Health;

(8) research child care programs and public policy to improve the quality and accessibility of child care, early childhood programs, and school age programs in the state;

(9) provide planning and technical assistance for the development and implementation of programs in communities that lack child care, early childhood programs, and school age programs;

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(10) provide organizational support for the establishment of nonprofit organizations approved by the Child Care Advisory Committee, created in Section 35A-3-205;

(11) coordinate with the department to include in the annual written report described in Section 35A-1-109 information regarding the status of child care in Utah; and

(12) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with state and federal law~~[-]~~:

(a) establishing the eligibility requirements for a child care provider to receive a grant or subsidy, including for the following:

~~(a)~~ (i) providing child care for an income-eligible child age 12 or younger; and

~~(b)~~ (ii) providing child care for an income-eligible child with disabilities age 18 or younger~~[-]~~.

~~Section 2}~~ ~~[-]~~; and

(b) prioritizing awards of child care grants or subsidies for income-eligible children within available funds.

Section 3. Section 35A-3-209 is enacted to read:

35A-3-209. Award of child care subsidy services.

(1) (a) ~~{In accordance with applicable federal law and regulation, and on}~~ On or before June 30, 2023, the office ~~{may}~~ shall award a full child care subsidy or grant for an income-eligible child.

(b) The office shall make the award described in Subsection (1)(a):

(i) in accordance with applicable federal law and regulation; and

(ii) subject to available funds.

~~(b)2~~ Beginning on July 1, 2023, the office may award:

~~(i)a~~ (i)a a full child care subsidy or grant for an income-eligible child whose family income is equal to or below ~~{100%}~~ 75% of ~~{the federal poverty level}~~ state median income; and

~~(ii)b~~ (ii)b a progressively lower child care subsidy or grant for each tenth of a percentage point by which the income-eligible child's family income exceeds ~~{100%}~~ 75% of ~~{the federal poverty level}~~.

~~(2) (a) Subject}~~ state median income up to 85% of state median income.

(3) (a) On or before June 30, 2023, and subject to Subsection (~~{2}~~3)(b), the office shall

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determine the amount of a child care subsidy or grant based on the income-eligible child's enrollment in child care.

(b) To qualify for a child care subsidy or grant [under this Subsection \(3\)](#), an income-eligible child shall be enrolled in child care for a minimum of eight hours per month.