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OFFICE OF CHILD CARE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions governing the Office of Child Care.

Highlighted Provisions:

This bill:

- ▶ repeals certain provisions requiring the Office of Child Care (office) to determine eligibility for a child care subsidy or grant;
- ▶ requires the office to contract for the creation of a quality child care estimator tool;
- ▶ enacts criteria and requirements for developing the tool;
- ▶ requires the office to prepare a report on the tool development and projected child care costs; and
- ▶ makes conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-3-209, as enacted by Laws of Utah 2021, Chapter 168

ENACTS:

35A-3-211, Utah Code Annotated 1953



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

30 Section 1. Section **35A-3-209** is amended to read:

31 **35A-3-209. Award of child care subsidy services.**

32 (1) (a) On or before June 30, 2023, the office shall award a full child care subsidy or
33 grant for an income-eligible child.

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

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

36 (ii) subject to available funds.

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

38 (a) a full child care subsidy or grant for an income-eligible child whose family income
39 is equal to or below 75% of state median income; and

40 (b) a progressively lower child care subsidy or grant for each tenth of a percentage
41 point by which the income-eligible child's family income exceeds 75% of state median income
42 up to 85% of state median income.

43 (3) (a) [~~On or before June 30, 2023, and subject to Subsection (3)(b), the~~] The office
44 shall determine the amount of a child care subsidy or grant based on the income-eligible child's
45 enrollment in child care.

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

48 [~~(c) On or after July 1, 2023, and subject to Subsection (3)(d), the office shall~~
49 ~~determine the amount of a child care subsidy or grant based on the income-eligible child's~~
50 ~~attendance in child care.~~]

51 [~~(d) To qualify for a child care subsidy or grant under Subsection (3)(c), an~~
52 ~~income-eligible child shall attend child care for a minimum of eight hours per month.~~]

53 Section 2. Section **35A-3-211** is enacted to read:

54 **35A-3-211. Child care estimator tool.**

55 (1) As used in this section, "tool" means the cost of quality child care estimator tool
56 created in accordance with this section.

57 (2) The office shall, in accordance with Title 63G, Chapter 6a, Utah Procurement
58 Code, enter into a contract with a third-party provider to create a cost of quality child care

59 estimator tool.
60 (3) The tool shall:
61 (a) enable the state to model the actual costs of child care, according to:
62 (i) systems developed by the office to inform the public of quality child care providers;
63 (ii) federal guidelines set forth in 45 C.F.R. Sec. 98.45; and
64 (iii) other factors determined by the office;
65 (b) meet federal requirements for alternative methodology for rate setting as described
66 in 45 C.F.R. Sec. 98.45 and established by the U.S. Department of Health and Human Services,
67 Office of Child Care; and
68 (c) be publicly available no later than December 1, 2022.
69 (4) The office shall consult stakeholders in development of the tool, including:
70 (a) experts on cost studies and federal approval;
71 (b) child care providers from a spectrum of service types;
72 (c) child care resources and referral agencies; and
73 (d) early childhood care and education advocates.
74 (5) (a) No later than December 1, 2022, the office shall prepare and make publicly
75 available a report that describes:
76 (i) factors considered when developing the tool;
77 (ii) data points used to model costs, including the target wage scale for child care
78 professionals used to create the tool;
79 (iii) costs based on tiers in the current system described in Subsection (3)(a)(i); and
80 (iv) projected costs of quality child care in the state of Utah over the next five years.
81 (b) No later than May 1, 2023, the office shall submit the report described in
82 Subsection (5)(a) and in accordance with Section [68-3-13](#) to the Economic Development and
83 Workforce Services Interim Committee.