

CHILDCARE WAGE STABILIZATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: Luz Escamilla

LONG TITLE

General Description:

This bill modifies provisions related to child care subsidy and creates a grant program for child care providers.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ authorizes the Office of Child Care to award a full child care subsidy or grant to a child with at least one parent or legal guardian working full-time at a child care provider;
- ▶ creates the child care worker wage supplement grant program;
- ▶ describes the minimum requirements of the child care worker wage supplement grant program;
- ▶ authorizes the Office of Child Care to make rules; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



28 **35A-3-209**, as enacted by Laws of Utah 2021, Chapter 168

29 ENACTS:

30 **35A-3-213**, Utah Code Annotated 1953



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

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

33 **35A-3-209. Award of child care subsidy services.**

34 (1) As used in this section, "child care provider" means an entity that holds a license or
35 certificate from the Department of Health and Human Services in accordance with Title 26B,
36 Chapter 2, Part 4, Child Care Licensing.

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

39 (b) The office shall make the award described in Subsection ~~[(1)(a)]~~ (2)(a):

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

41 (ii) subject to available funds.

42 ~~[(2)]~~ (3) Beginning on July 1, 2023, the office may award:

43 (a) a full child care subsidy or grant for:

44 (i) an income-eligible child whose family income is equal to or below 75% of state
45 median income; or

46 (ii) a child who has at least one parent or legal guardian working as a full-time
47 employee of a child care provider; and

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

51 ~~[(3)]~~ (4) (a) On or before June 30, 2023, and subject to Subsection ~~[(3)(b)]~~ (4)(b), the
52 office shall determine the amount of a child care subsidy or grant based on the income-eligible
53 child's enrollment in child care.

54 (b) To qualify for a child care subsidy or grant under Subsection ~~[(3)(a)]~~ (4)(a), an
55 income-eligible child shall be enrolled in child care for a minimum of eight hours per month.

56 (c) On or after July 1, 2023, and subject to Subsection ~~[(3)(d)]~~ (4)(d), the office shall
57 determine the amount of a child care subsidy or grant based on the income-eligible child's
58

59 attendance in child care.

60 (d) To qualify for a child care subsidy or grant under Subsection [~~(3)(c)~~] (4)(c), an
61 income-eligible child shall attend child care for a minimum of eight hours per month.

62 Section 2. Section **35A-3-213** is enacted to read:

63 **35A-3-213. Child care worker wage supplement grants.**

64 (1) As used in this section:

65 (a) "Capacity limit" means the same as that term is defined in Section 26B-2-401.

66 (b) "Child care provider" means an entity that holds a license or certificate from the
67 Department of Health and Human Services in accordance with Title 26B, Chapter 2, Part 4,
68 Child Care Licensing.

69 (2) Subject to availability of funds, the office shall create and administer a child care
70 worker wage supplement grant program as described in this section.

71 (3) A child care provider who enrolls 50% or more of the child care provider's capacity
72 limit with children who receive a child care subsidy or grant, as described in Section
73 35A-3-209, is eligible to receive a child care worker wage supplement grant.

74 (4) A child care provider who receives a child care worker wage supplement grant
75 from the office shall use funds from the grant to:

76 (a) increase the hourly wage of:

77 (i) an employee of the child care provider; or

78 (ii) if the child care provider is owned and operated by a single individual, the
79 individual; or

80 (b) provide employee benefits to an employee of the child care provider.

81 (5) The office shall make rules in accordance with Title 63G, Chapter 3, Utah
82 Administrative Rulemaking Act, to establish criteria and procedures for applying for and
83 awarding grants under this section, including reporting requirements from a grant recipient
84 after a grant is awarded.

85 (6) For a fiscal year in which the office issues a grant under this section, the office shall
86 submit to the department, for inclusion in the department's annual written report described in
87 Section 35A-1-109, a report that provides a complete accounting of the funds expended by the
88 office under this section during the fiscal year.

89 Section 3. **Effective date.**

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This bill takes effect on May 1, 2024.