

**Representative Andrew Stoddard** proposes the following substitute bill:

**CHILD CARE GRANTS AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Andrew Stoddard**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires the Office of Child Care to offer grants within available funds to child care providers.

**Highlighted Provisions:**

- This bill:
- ▶ defines terms;
  - ▶ requires the Office of Child Care to provide grants, within available funds, to child care providers;
  - ▶ requires the Office of Child Care to make an annual report;
  - ▶ extends a sunset date; and
  - ▶ makes technical changes.

**Money Appropriated in this Bill:**

- This bill appropriates in fiscal year 2025:
- ▶ to Department of Workforce Services - Operations and Policy - Workforce Development as a one-time appropriation:
    - from the General Fund, One-time, \$240,000,000

**Other Special Clauses:**

This bill provides a special effective date.



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **35A-3-212**, as last amended by Laws of Utah 2023, Chapter 328

29 **63I-2-235**, as last amended by Laws of Utah 2022, Chapter 21

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

32 Section 1. Section **35A-3-212** is amended to read:

33 **35A-3-212. Use of relief funds -- Grants to child care providers -- Reporting**  
34 **requirements.**

35 (1) As used in this section:

36 (a) "Child care provider" means a person that holds a license or certificate from the  
37 Department of Health and Human Services in accordance with Title 26B, Chapter 2, Part 4,  
38 Child Care Licensing.

39 ~~[(a)]~~ (b) "COVID-19 relief funds" means federal funds provided to the office under:

- 40 (i) the American Rescue Plan Act, Pub. L. No. 117-2;
- 41 (ii) the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136; or
- 42 (iii) the Coronavirus Response and Relief Supplemental Appropriations Act, Pub. L.
- 43 No. 116-260.

44 (c) "Low-income child" means a child who is a member or foster child of a family with  
45 an annual income at or below 200% federal poverty level.

46 ~~[(b) "Eligible child care provider" means:]~~

47 ~~[(i) a child care provider that enters into a contract with an employer to provide child~~  
48 ~~care for the employer's employees, either on-site or off-site of the employer's place of business;~~  
49 ~~or]~~

50 ~~[(ii) a regulated residential child care provider.]~~

51 ~~[(c) (i) "Employer" means:]~~

52 ~~[(A) a public employer;]~~

53 ~~[(B) a private employer; or]~~

54 ~~[(C) a cooperative organized for the purpose of providing child care for members'~~  
55 ~~employees.]~~

56 ~~[(ii) "Employer" includes a local education agency, as defined in Section **53E-1-102**.]~~

57 ~~[(d) "Regulated residential child care provider" means a person who holds a license or~~  
58 ~~certificate from the Department of Health and Human Services to provide residential child care~~  
59 ~~in accordance with Title 26B, Chapter 2, Part 4, Child Care Licensing.]~~

60 (2) (a) Subject to availability of funds and requirements under applicable federal law,  
61 the office shall ~~[use COVID-19 relief funds to]~~ provide grants to ~~[eligible]~~ child care providers  
62 to:

- 63 (i) assist in paying start-up costs associated with the provision of child care[-];  
64 (ii) stabilize the child care provider's business; and  
65 (iii) allow the child care provider to offer increased compensation, benefits, or a  
66 combination of both to the child care provider's employees.

67 (b) The office shall make rules, in accordance with Title 63G, Chapter 3, Utah  
68 Administrative Rulemaking Act, to establish criteria and procedures for applying for and  
69 awarding grants under this Subsection (2)[-], including prioritizing grants to a child care  
70 provider that predominantly serves:

- 71 (i) children receiving a child care subsidy or grant; or  
72 (ii) low-income children.

73 (3) In fiscal years 2022 through 2024, the office shall submit to the department, for  
74 inclusion in the department's annual written report described in Section [35A-1-109](#), an annual  
75 report that provides:

- 76 (a) a complete accounting of the COVID-19 relief funds expended by the office during  
77 the previous fiscal year;  
78 (b) a description of the services, projects, and programs funded by the office with  
79 COVID-19 relief funds during the previous fiscal year, including the amount of COVID-19  
80 relief funds allocated to each service, project, or program; and  
81 (c) information regarding the outcomes and effectiveness of the services, projects, and  
82 programs funded by the office with COVID-19 relief funds during the previous fiscal year.

83 (4) In fiscal years 2025 and 2026, the office shall submit to the department, for  
84 inclusion in the department's annual written report described in Section [35A-1-109](#), a report  
85 that provides a complete accounting of grants, if any, made by the office pursuant to this  
86 section during the previous fiscal year.

87 Section 2. Section **63I-2-235** is amended to read:

88 **63I-2-235. Repeal dates: Title 35A.**

89 (1) Section 35A-1-104.6 is repealed June 30, 2022.

90 (2) Section 35A-3-212 is repealed June 30, [~~2025~~] 2026.

91 **Section 3. FY 2025 Appropriation.**

92 The following sums of money are appropriated for the fiscal year beginning July 1,  
93 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for  
94 fiscal year 2025.

95 **Subsection 3(a). Operating and Capital Budgets.**

96 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
97 Legislature appropriates the following sums of money from the funds or accounts indicated for  
98 the use and support of the government of the state of Utah.

99 **ITEM 1** To Department of Workforce Services - Operations and Policy

100 From General Fund, One-time \$240,000,000

101 Schedule of Programs:

102 Workforce Development \$240,000,000

103 The Legislature intends that the funds not lapse at the end of fiscal year 2025, but that the  
104 Department of Workforce Services expend \$120,000,000 in the fiscal year beginning July 1,  
105 2024 and ending June 30, 2025 on child care provider grants, and \$120,000,000 in the fiscal  
106 year beginning July 1, 2025 and ending June 30, 2026 on child care provider grants.

107 **Section 4. Effective date.**

108 This bill takes effect on July 1, 2024.