

[First Reprint]

ASSEMBLY, No. 4746

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

Sponsored by:

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District 4 (Camden and Gloucester)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

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District 33 (Hudson)

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District 25 (Morris and Somerset)

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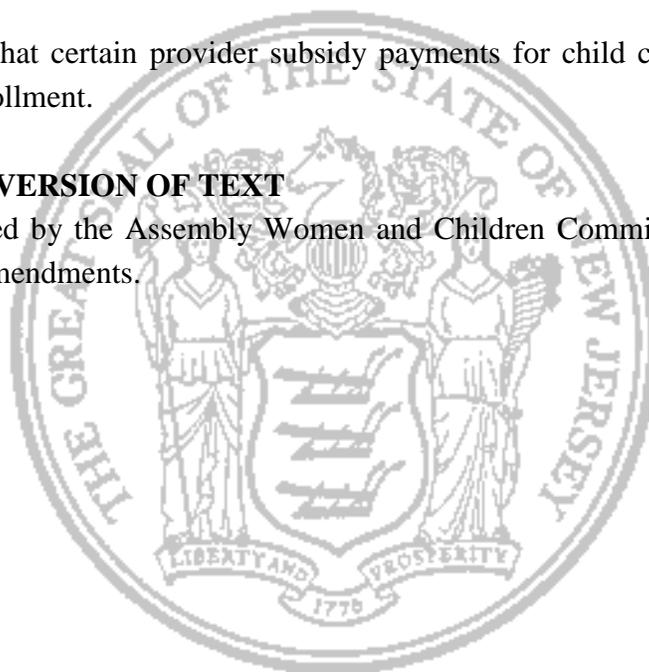
**Assemblywomen Downey, Jimenez, Assemblyman Freiman,
Assemblywomen Lampitt, Swain and Assemblyman Tully**

SYNOPSIS

Requires that certain provider subsidy payments for child care services be based on enrollment.

CURRENT VERSION OF TEXT

As reported by the Assembly Women and Children Committee on June 9, 2021, with amendments.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning State subsidies to child care providers and
2 supplementing chapter 5B of Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Notwithstanding any law, rule, or regulation to the
8 contrary and in addition to any other criteria set forth by the
9 Division of Family Development in the Department of Human
10 Services to determine a provider's subsidy payment for child care
11 services, the division shall determine the subsidy payment for child
12 care services issued to a licensed child care provider ¹**[in which 60**
13 **percent or more of the provider's enrollment is eligible for child**
14 **care services]** shall be¹ based on the number of children enrolled
15 with the provider who are eligible for child care services. At no
16 time shall a subsidy payment for child care services issued to a
17 licensed child care provider ¹**[in which 60 percent or more of the**
18 **provider's enrollment is eligible for child care services]**¹ be based
19 on the attendance of eligible children for child care services.

20 b. ¹A licensed child care provider for which the subsidy
21 payment is based on enrollment of children who are eligible for
22 child care services shall comply at all times with requirements
23 concerning the ratio of staff to enrolled children, as established
24 pursuant to regulation by the Office of Licensing in the Department
25 of Children and Families. At no time shall this ratio be based on
26 the attendance of children eligible for child care services.

27 c. Within 24 months following the effective date of this act, the
28 division shall submit a written report to the Governor and, pursuant
29 to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature
30 comparing the costs of basing child care provider subsidy payments
31 on the number of children eligible for child care services enrolled
32 with the provider and basing such subsidy payments on the
33 attendance of children eligible for child care services.

34 d.¹ The Commissioner of Human Services shall apply for such
35 State plan amendments or waivers as may be necessary to
36 implement the provisions of this section and to continue to secure
37 any available federal financial participation for the applicable child
38 care programs.

39 ¹**[c.]e.¹** As used in this section, "child care services" means
40 those services provided to eligible children, as certified by the
41 Division of Family Development within the Department of Human
42 Services, for which the division receives and administers State and
43 federal funding to provide subsidy payments to licensed child care
44 providers.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AWC committee amendments adopted June 9, 2021.

1 2. The Commissioner of Human Services, pursuant to the
2 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
3 1 et seq.) shall adopt rules and regulations necessary to implement
4 the provisions of this act.
5
6 3. This act shall take effect immediately ¹and shall expire two
7 years after the federal government approves the State’s application for
8 a State plan amendment or waiver, pursuant to section 1 of this act, or
9 the division implements the revised child care subsidy payment rates,
10 whichever occurs earlier.¹