
By: **Delegates Hixson and Marriott**

Introduced and read first time: February 2, 2006

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Child Care Quality Incentive Grant Program**

3 FOR the purpose of requiring the Child Care Quality Incentive Grant Program to be
4 administered by the State Department of Education; authorizing the
5 Department to contract with certain agencies to administer the grant program;
6 authorizing the State Superintendent to delegate authority to approve direct
7 incentive grants to certain boards; authorizing the Department to award direct
8 incentive grants to an applicant under certain circumstances; and generally
9 relating to the Child Care Quality Incentive Grant Program.

10 BY repealing and reenacting, with amendments,
11 Article - Family Law
12 Section 5-594.1 through 5-594.7
13 Annotated Code of Maryland
14 (2004 Replacement Volume and 2005 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article - Family Law
17 Section 5-594.8
18 Annotated Code of Maryland
19 (2004 Replacement Volume and 2005 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Family Law**

23 5-594.1.

24 (a) There is a Child Care Quality Incentive Grant Program administered by
25 the [Department] STATE DEPARTMENT OF EDUCATION.

26 (b) To administer direct incentive grants to child care providers, the
27 [Department] STATE DEPARTMENT OF EDUCATION may contract with other State
28 agencies and nonprofit organizations.

1 5-594.2.

2 (a) The [Secretary of Human Resources] STATE SUPERINTENDENT may
3 delegate the authority to approve direct incentive grants to any board that exists or
4 may be created in the [Department] STATE DEPARTMENT OF EDUCATION.

5 (b) A direct incentive grant made under this part shall be awarded as an
6 incentive for a child care provider to improve the quality of care being provided to
7 children through the purchase of supplies, materials, and equipment.

8 5-594.3.

9 (a) The grant funds shall consist of:

10 (1) moneys specifically appropriated for the Child Care Quality
11 Incentive Grant Program; and

12 (2) any other moneys made available to the Child Care Quality Incentive
13 Grant Program.

14 (b) The Child Care Quality Incentive Grant Program shall be used to:

15 (1) pay all expenses and disbursements authorized by the [Department]
16 STATE DEPARTMENT OF EDUCATION for administering the Child Care Quality
17 Incentive Grant Program; and

18 (2) award direct incentive grants to child care providers.

19 (c) To be eligible to receive grants under this part, a child care provider must:

20 (1) possess a certificate of registration or license that is current and not
21 subject to any pending regulatory action, including revocation and suspension; and

22 (2) not be in arrears in the payment of any moneys owed to the State,
23 including the payment of taxes and employee benefits.

24 (d) Grants made under this part shall be limited to:

25 (1) child care centers located in Title I communities;

26 (2) child care centers where at least 25% of the children enrolled receive
27 subsidies through the purchase of child care program; and

28 (3) family day care homes that serve children who receive child care
29 subsidies through the purchase of child care program.

30 5-594.4.

31 The [Department] STATE DEPARTMENT OF EDUCATION may award a direct
32 incentive grant to an applicant only if:

- 1 (1) the applicant meets the qualifications required by this subtitle;
- 2 (2) the direct incentive grant does not exceed \$2,500; and
- 3 (3) federal funds are available to cover the cost of the grant.

4 5-594.5.

5 (a) To apply for a direct incentive grant, an applicant shall submit to the
6 [Department] STATE DEPARTMENT OF EDUCATION an application on the form that
7 the [Department] STATE DEPARTMENT OF EDUCATION requires.

8 (b) The application shall include:

- 9 (1) the name and address of the child care provider;
- 10 (2) an itemization of known and estimated costs including a statement
11 from the child care provider as to how the grant funds will be used;
- 12 (3) the total amount of funds required by the provider to purchase
13 supplies, material, and equipment;
- 14 (4) the funds available to the applicant to purchase supplies, material,
15 and equipment;
- 16 (5) the amount of direct incentive grant funds sought from the
17 [Department] STATE DEPARTMENT OF EDUCATION;
- 18 (6) the number of children that the child care provider serves who
19 receive child care subsidies through the purchase of child care program; and
- 20 (7) any other relevant information that the [Department] STATE
21 DEPARTMENT OF EDUCATION requests.

22 5-594.6.

23 (a) Except as otherwise provided in this part, the [Department] STATE
24 DEPARTMENT OF EDUCATION may set the terms and conditions for direct incentive
25 grants.

26 (b) On an annual basis, the [Department] STATE DEPARTMENT OF
27 EDUCATION may establish priorities for the distribution of direct incentive grants
28 based on the categories of children child care providers serve, including infants,
29 toddlers, and preschool and school-age children.

30 5-594.7.

31 (a) A person may not knowingly make or cause any false statement or report
32 to be made in any application or in any document furnished to the [Department]
33 STATE DEPARTMENT OF EDUCATION under this part.

1 (b) A person may not knowingly make or cause any false statement or report
2 to be made for the purpose of influencing the action of the [Department] STATE
3 DEPARTMENT OF EDUCATION on an application for a direct incentive grant or for the
4 purpose of influencing any action of the [Department] STATE DEPARTMENT OF
5 EDUCATION affecting a direct incentive grant whether or not such a grant may have
6 already been awarded.

7 (c) Any person or any aider or abettor who violates any provision of this part
8 is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$1,000
9 or imprisonment in the penitentiary not exceeding 1 year or both.

10 5-594.8.

11 The State Superintendent shall adopt regulations necessary to carry out the
12 purposes of this part.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2006.