
By: **Delegates Hixson and Marriott**
Introduced and read first time: February 2, 2006
Assigned to: Ways and Means

Committee Report: Favorable
House action: Adopted
Read second time: March 14, 2006

CHAPTER_____

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:

1

Article - Family Law

2 5-594.1.

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

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

8 5-594.2.

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

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

15 5-594.3.

16 (a) The grant funds shall consist of:

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

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

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

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

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

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

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

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

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

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

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

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

5 5-594.4.

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

8 (1) the applicant meets the qualifications required by this subtitle;

9 (2) the direct incentive grant does not exceed \$2,500; and

10 (3) federal funds are available to cover the cost of the grant.

11 5-594.5.

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

15 (b) The application shall include:

16 (1) the name and address of the child care provider;

17 (2) an itemization of known and estimated costs including a statement
18 from the child care provider as to how the grant funds will be used;

19 (3) the total amount of funds required by the provider to purchase
20 supplies, material, and equipment;

21 (4) the funds available to the applicant to purchase supplies, material,
22 and equipment;

23 (5) the amount of direct incentive grant funds sought from the
24 [Department] STATE DEPARTMENT OF EDUCATION;

25 (6) the number of children that the child care provider serves who
26 receive child care subsidies through the purchase of child care program; and

27 (7) any other relevant information that the [Department] STATE
28 DEPARTMENT OF EDUCATION requests.

29 5-594.6.

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

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

5 5-594.7.

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

9 (b) A person may not knowingly make or cause any false statement or report
10 to be made for the purpose of influencing the action of the [Department] STATE
11 DEPARTMENT OF EDUCATION on an application for a direct incentive grant or for the
12 purpose of influencing any action of the [Department] STATE DEPARTMENT OF
13 EDUCATION affecting a direct incentive grant whether or not such a grant may have
14 already been awarded.

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

18 5-594.8.

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

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