

HOUSE BILL 89

F5, O4

EMERGENCY BILL
ENROLLED BILL

(2lr0921)

— *Ways and Means and Appropriations/Budget and Taxation and Education, Health,
and Environmental Affairs* —

Introduced by **Delegate Queen**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Department of Education – Child Care Stabilization Grant Program and**
3 **Child Care Expansion Grant Program – Established Grants**

4 FOR the purpose of ~~establishing the Child Care Stabilization Grant Program and the Child~~
5 ~~Care Expansion Grant Program in the State Department of Education; and generally~~
6 ~~relating to the Child Care Stabilization Grant Program and the Child Care~~
7 ~~Expansion Grant Program~~ requiring the State Department of Education to
8 administer stabilization grants to child care providers in a certain fiscal year in
9 certain fiscal years; providing for the priority of grant awards; and generally relating
10 to child care stabilization grants.

11 ~~BY adding to~~
12 ~~Article – Education~~
13 ~~Section 9.5-115 and 9.5-116~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



~~Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)~~

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

~~Article — Education~~

~~9.5 — 115.~~

~~(A) IN THIS SECTION, “PROGRAM” MEANS THE CHILD CARE STABILIZATION
GRANT PROGRAM.~~

~~(B) (1) THERE IS A CHILD CARE STABILIZATION GRANT PROGRAM IN
THE DEPARTMENT.~~

~~(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FINANCIAL
SUPPORT TO LICENSED CHILD CARE PROVIDERS IN THE STATE THAT ARE IN
DANGER OF CLOSING IN THE NEXT 12 MONTHS DUE TO FINANCIAL HARDSHIP.~~

~~(C) (1) THE DEPARTMENT SHALL DEVELOP:~~

~~(I) ELIGIBILITY CRITERIA;~~

~~(II) APPLICATION PROCEDURES;~~

~~(III) A FORMULA FOR DETERMINING GRANT AWARD AMOUNTS;~~

~~AND~~

~~(IV) A PROCESS TO AWARD GRANTS TO ELIGIBLE CHILD CARE
PROVIDERS.~~

~~(D) (1) THE DEPARTMENT SHALL AWARD GRANTS TO ELIGIBLE CHILD
CARE PROVIDERS NOT MORE THAN 3 MONTHS AFTER A GRANT APPLICATION IS
RECEIVED BY THE DEPARTMENT.~~

~~(2) AN ANNUAL AWARD FROM THE PROGRAM FOR EACH ELIGIBLE
CHILD CARE PROVIDER SHALL BE:~~

~~(I) NOT LESS THAN \$1,000; AND~~

~~(II) NOT MORE THAN \$35,000.~~

~~(3) IN DETERMINING AWARD AMOUNTS, THE DEPARTMENT SHALL
USE PROVIDER CAPACITY AS A KEY CRITERIA.~~

1 ~~(E) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN~~
2 ~~APPROPRIATION TO THE PROGRAM.~~

3 ~~(F) (1) A RECIPIENT OF AN AWARD UNDER THE PROGRAM MAY NOT~~
4 ~~RECEIVE AN AWARD UNDER THE CHILD CARE EXPANSION GRANT PROGRAM UNDER~~
5 ~~§ 9.5-116 OF THIS SUBTITLE IN THE SAME YEAR.~~

6 ~~(2) A RECIPIENT OF AN AWARD UNDER THE PROGRAM MAY NOT~~
7 ~~RECEIVE AN AWARD UNDER THE PROGRAM OR UNDER THE CHILD CARE EXPANSION~~
8 ~~GRANT PROGRAM UNDER § 9.5-116 OF THIS SUBTITLE FOR MORE THAN 5~~
9 ~~CONSECUTIVE YEARS.~~

10 ~~(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS~~
11 ~~SECTION.~~

12 ~~9.5-116.~~

13 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
14 ~~INDICATED.~~

15 ~~(2) "PROGRAM" MEANS THE CHILD CARE EXPANSION GRANT~~
16 ~~PROGRAM.~~

17 ~~(3) "COSTS" INCLUDE:~~

18 ~~(I) STAFF TRAINING;~~

19 ~~(II) BACKGROUND CHECK FEES;~~

20 ~~(III) CLEANING SUPPLIES;~~

21 ~~(IV) EDUCATIONAL SUPPLIES; AND~~

22 ~~(V) CAPITAL OR FACILITY IMPROVEMENT COSTS.~~

23 ~~(B) (1) THERE IS A CHILD CARE EXPANSION GRANT PROGRAM IN THE~~
24 ~~DEPARTMENT.~~

25 ~~(2) THE PURPOSE OF THE PROGRAM IS TO INCREASE ACCESS AND~~
26 ~~AVAILABILITY OF LICENSED CHILD CARE PROVIDERS IN THE STATE BY PROVIDING~~
27 ~~FINANCIAL ASSISTANCE TO NEW OR EXISTING CHILD CARE PROVIDERS.~~

1 ~~(C) A GRANT AWARD FROM THE PROGRAM MAY BE USED FOR COSTS~~
2 ~~ASSOCIATED WITH THE EXPANSION OF AN EXISTING CHILD CARE PROGRAM OR TO~~
3 ~~ASSIST WITH THE CREATION OF A NEW CHILD CARE PROGRAM.~~

4 ~~(D) THE DEPARTMENT SHALL DEVELOP:~~

5 ~~(1) ELIGIBILITY CRITERIA;~~

6 ~~(2) APPLICATION PROCEDURES;~~

7 ~~(3) A FORMULA FOR DETERMINING GRANT AWARD AMOUNTS; AND~~

8 ~~(4) A PROCESS TO AWARD GRANTS TO NEW OR EXISTING CHILD CARE~~
9 ~~PROVIDERS WHO MEET THE ELIGIBILITY CRITERIA FOR THE PROGRAM.~~

10 ~~(E) (1) THE DEPARTMENT SHALL AWARD GRANTS NOT MORE THAN 3~~
11 ~~MONTHS AFTER A GRANT APPLICATION IS RECEIVED BY THE DEPARTMENT.~~

12 ~~(2) AN ANNUAL AWARD FROM THE PROGRAM FOR EACH ELIGIBLE~~
13 ~~CHILD CARE PROVIDER SHALL BE:~~

14 ~~(I) NOT LESS THAN \$3,000; AND~~

15 ~~(II) NOT MORE THAN \$50,000.~~

16 ~~(F) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN~~
17 ~~APPROPRIATION TO THE PROGRAM.~~

18 ~~(G) (1) A RECIPIENT OF AN AWARD UNDER THE PROGRAM MAY NOT~~
19 ~~RECEIVE AN AWARD UNDER THE CHILD CARE STABILIZATION GRANT PROGRAM~~
20 ~~UNDER § 9.5-115 OF THIS SUBTITLE IN THE SAME YEAR.~~

21 ~~(2) A RECIPIENT OF AN AWARD UNDER THE PROGRAM MAY NOT~~
22 ~~RECEIVE AN AWARD UNDER THE PROGRAM OR UNDER THE CHILD CARE~~
23 ~~STABILIZATION GRANT PROGRAM UNDER § 9.5-115 OF THIS SUBTITLE FOR MORE~~
24 ~~THAN 5 CONSECUTIVE YEARS.~~

25 ~~(H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS~~
26 ~~SECTION.~~

27 (a) In fiscal year years 2022 and 2023, the State Department of Education
28 shall administer child care stabilization grants to provide financial support to child care
29 providers that have faced a financial hardship or suffered an operational burden during the
30 COVID-19 pandemic.

1 (b) In awarding grants under this section, the State Department of Education
2 shall give preference to child care providers based on the following criteria, in order of
3 priority:

4 (1) providers that have a demonstrated financial hardship that poses
5 significant risk of the provider's business closing within the next 12 months;

6 (2) providers that have not received a stabilization grant in a prior
7 application cycle;

8 (3) providers that participate in the Child Care Scholarship Program;

9 (4) providers located in areas designated by the State Department of
10 Education as lacking child care slots;

11 (5) providers that serve primarily low-income populations in areas of high
12 poverty;

13 (6) providers that serve children with special needs; and

14 (7) providers that serve children 2 years old and under.

15 (c) The State Department of Education shall award ~~\$50,000,000~~ in grants to child
16 care providers in accordance with this section ~~and~~ *in the amount of \$50,000,000 for the*
17 *remainder of fiscal year 2022 and in the amount provided for this purpose in the fiscal year*
18 *2023 operating budget, as enacted by Chapter _____ of the Acts of the General Assembly of*
19 *2022 (S. B. 290).*

20 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
21 ~~1, 2022.~~

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health or safety, has
24 been passed by a ye and nay vote supported by three-fifths of all the members elected to
25 each of the two Houses of the General Assembly, and shall take effect from the date it is
26 enacted.