

HOUSE BILL 933

F5

2lr0920

By: **Delegate Queen (By Request – Study Group on Economic Stability) and Delegates Hill and Solomon**

Introduced and read first time: February 7, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Child Care Scholarship Program – Alterations**
3 **(Maryland Child Care Working Families Act)**

4 FOR the purpose of specifying certain eligibility requirements the State Department of
5 Education shall use, and certain factors the Department shall consider, when
6 determining a child’s initial eligibility for the Child Care Scholarship Program;
7 providing that a child who is determined eligible for the Program shall remain
8 eligible for subsidized child care under the Program for a certain period of time,
9 regardless of certain changes in circumstances; establishing certain Program
10 copayment requirements for certain families; providing that certain provisions of law
11 may not be construed to create a certain right of action or entitlement; and generally
12 relating to the Child Care Scholarship Program.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 9.5–113
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2021 Supplement)

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

20 **Article – Education**

21 9.5–113.

22 (a) In this section, “Program” means the Child Care Scholarship Program.

23 (b) The Department shall administer the Program in accordance with federal law.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) (1) THE DEPARTMENT SHALL USE THE CRITERIA LISTED UNDER**
2 **PARAGRAPH (2) OF THIS SUBSECTION TO DETERMINE A CHILD'S INITIAL**
3 **ELIGIBILITY FOR SUBSIDIZED CHILD CARE UNDER THE PROGRAM.**

4 **(2) A CHILD SHALL:**

5 **(I) 1. RESIDE WITH A PARENT WHO IS ENGAGED IN A**
6 **QUALIFYING ACTIVITY; OR**

7 **2. BE A VULNERABLE CHILD;**

8 **(II) RESIDE IN THE STATE; AND**

9 **(III) RESIDE WITH A PARENT WHOSE GROSS ANNUAL**
10 **HOUSEHOLD INCOME DOES NOT EXCEED 85% OF THE STATE'S MEDIAN INCOME.**

11 **(3) IN ADDITION TO THE CRITERIA LISTED UNDER PARAGRAPH (2) OF**
12 **THIS SUBSECTION, THE DEPARTMENT SHALL CONSIDER THE FOLLOWING WHEN**
13 **DETERMINING A CHILD'S INITIAL ELIGIBILITY FOR SUBSIDIZED CHILD CARE UNDER**
14 **THE PROGRAM:**

15 **(I) THE ANNUAL INCOME OF THE CHILD'S FAMILY; AND**

16 **(II) THE SIZE OF THE CHILD'S FAMILY.**

17 **(D) A CHILD WHO IS DETERMINED TO BE ELIGIBLE FOR SUBSIDIZED CHILD**
18 **CARE UNDER THE PROGRAM SHALL REMAIN ELIGIBLE FOR THE FOLLOWING 12**
19 **MONTHS, REGARDLESS OF:**

20 **(1) A TEMPORARY CHANGE IN THE STATUS OF THE PARENT OR**
21 **PARENTS OF THE CHILD;**

22 **(2) A CHANGE IN RESIDENCY WITHIN THE STATE;**

23 **(3) AN INCREASE IN GROSS ANNUAL HOUSEHOLD INCOME, PROVIDED**
24 **THAT THE NEW GROSS ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED 150% OF**
25 **THE MAXIMUM ALLOWABLE FEDERAL POVERTY LEVEL; OR**

26 **(4) (I) THE CHILD ATTAINING THE AGE OF 13 YEARS; OR**

27 **(II) IF THE CHILD HAS DOCUMENTED SPECIAL NEEDS, THE**
28 **CHILD ATTAINING THE AGE OF 19 YEARS.**

1 **[(c)] (E)** **[An individual] A PARENT OR GUARDIAN** is eligible to continue to
2 receive a subsidy under the Program:

3 (1) For at least 90 days in a year if the **[individual] PARENT OR**
4 **GUARDIAN** is unemployed and seeking employment; and

5 (2) If the **[individual] PARENT OR GUARDIAN** meets any other eligibility
6 criteria determined by the Department.

7 **(F) A CHILD WHOSE FAMILY HAS NO HOUSEHOLD INCOME SHALL BE**
8 **ELIGIBLE FOR SUBSIDIZED CHILD CARE UNDER THE PROGRAM AT THE LOWEST**
9 **SUBSIDY RATE.**

10 **(G) THE DEPARTMENT MAY LIMIT THE AMOUNT OF CHILD CARE SUBSIDIES**
11 **PROVIDED UNDER THE PROGRAM BASED ON AVAILABLE RESOURCES OR FUNDING.**

12 **(H) IF THE DEPARTMENT IMPLEMENTS A WAITING LIST FOR SUBSIDIZED**
13 **CHILD CARE UNDER THE PROGRAM, THE DEPARTMENT SHALL GIVE PRIORITY TO:**

14 **(1) CHILDREN IN FAMILIES WITH VERY LOW INCOMES;**

15 **(2) CHILDREN IN FAMILIES WHOSE TOTAL ASSISTANCE DOES NOT**
16 **EXCEED \$1,000,000; AND**

17 **(3) VULNERABLE CHILDREN.**

18 **(I) (1) THIS SUBSECTION DOES NOT APPLY TO:**

19 **(i) AN INDIVIDUAL WHO IS EXEMPT FROM COPAYMENT**
20 **REQUIREMENTS UNDER COMAR 13A.14.06.12A; OR**

21 **(ii) A FAMILY WITH A GROSS ANNUAL HOUSEHOLD INCOME OF**
22 **LESS THAN 75% OF THE STATE'S MEDIAN INCOME.**

23 **(2) A FAMILY WHOSE GROSS ANNUAL HOUSEHOLD INCOME EXCEEDS**
24 **75% OF THE STATE'S MEDIAN INCOME, BUT IS LESS THAN 100% OF THE STATE'S**
25 **MEDIAN INCOME, THE MAXIMUM COPAYMENT SHALL BE BASED ON A SLIDING SCALE**
26 **UP TO 2% OF GROSS ANNUAL HOUSEHOLD INCOME.**

27 **(J) NOTHING IN THIS SECTION MAY BE CONSTRUED TO CREATE A PRIVATE**
28 **RIGHT OF ACTION OR ENTITLEMENT TO SUBSIDIZED CHILD CARE.**

29 **[(d)] (K)** The Department shall adopt regulations to implement the provisions of
30 this section.

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