

**ASSEMBLY, No. 5413**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED MAY 8, 2023

**Sponsored by:**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**SYNOPSIS**

Provides categorical eligibility for subsidized child care services to certain child care workers.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning categorical eligibility for subsidized child care  
2 services and supplementing Title 30 of the Revised Statutes.

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

6  
7 1. a. As used in this act, “qualifying child care worker” means  
8 an educator or staff member who is employed, for a minimum of 20  
9 hours per week, by a licensed child care center or registered family  
10 child care provider.

11 b. Notwithstanding the provisions of any law, rule, or  
12 regulation to the contrary, a qualifying child care worker shall be  
13 eligible for child care services through the State’s subsidized child  
14 care assistance program to the same extent as any other participant  
15 in the program, regardless of the family’s annual household income.

16 c. The Commissioner of Human Services shall establish a  
17 process by which the department shall confirm that a qualifying  
18 child care worker satisfies the employment criteria required to  
19 access the benefit established pursuant to this section.

20 d. The commissioner shall apply for such State plan  
21 amendments or waivers as may be necessary to implement the  
22 provisions of this act and to continue to secure federal financial  
23 participation for subsidized child care services for eligible families  
24 under the “Child Care and Development Block Grant Act of 1990,”  
25 Pub.L.97-35 (42 U.S.C. s.9857 et seq.), as amended.

26 e. The commissioner shall adopt such rules and regulations  
27 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410  
28 (C.52:14B-1 et seq.) as are necessary to carry out the purposes of  
29 this act.

30  
31 2. This act shall take effect on the first day of the fourth month  
32 next following the date of enactment, but the Commissioner of  
33 Human Services may take such anticipatory administrative action in  
34 advance thereof as may be necessary for the implementation of this  
35 act.

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#### 38 STATEMENT

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40 This bill provides categorical eligibility for child care subsidies  
41 to qualifying employees of licensed child care centers or registered  
42 family child care providers, regardless of the qualifying employee’s  
43 annual income. It is the sponsor’s belief that providing access to  
44 child care subsidies for employees of child care facilities, regardless  
45 of income, will raise the compensation level for these essential  
46 workers and support the recruitment and retention of child care  
47 employees.

1       The bill provides eligibility for child care services through the  
2 State’s subsidized child care assistance program for “qualifying  
3 child care workers,” regardless of the individual’s annual family  
4 income. The bill defines a qualifying child care worker as an  
5 educator or staff member who is employed by a licensed child care  
6 center or a registered family child care provider for a minimum of  
7 20 hours per week.

8       Under the bill, the Commissioner of Human Services is directed  
9 to establish a process by which the department will confirm that a  
10 qualifying child care worker is employed by a child care provider  
11 for the number of hours required to access the child care subsidy  
12 benefit. The commissioner, moreover, is to apply for any State plan  
13 amendments or waivers necessary to ensure continuation of federal  
14 funding for subsidized child care services for eligible families under  
15 the “Child Care and Development Block Grant Act of 1990.”

16       This bill is modeled on a similar policy adopted in Kentucky in  
17 2022, which is supported by funds awarded to the state under the  
18 American Rescue Plan Act.