

SENATE, No. 2478

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MAY 9, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senators Cruz-Perez, Cryan, Cunningham, Singleton, Stanfield and Turner

SYNOPSIS

Extends duration of law requiring certain provider subsidy payments for child care services be based on enrollment.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/16/2022)

1 AN ACT concerning child care subsidies and amending P.L.2021,
2 c.324.

3

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

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7 1. Section 1 of P.L.2021, c.324 is amended to read as follows:

8 1. a. For the period beginning on the effective date of P.L.2021,
9 c.324 and ending June 30, **[2022]** 2025, and notwithstanding any
10 law, rule, or regulation to the contrary and in addition to any other
11 criteria set forth by the Division of Family Development in the
12 Department of Human Services to determine a provider's subsidy
13 payment for child care services, the division shall determine the
14 subsidy payment for child care services issued to a licensed child
15 care center or a registered family day care provider based on the
16 number of children enrolled with the provider who are eligible for
17 child care services. At no time during this period shall a subsidy
18 payment for child care services issued to a licensed child care
19 center or a registered family day care provider be based on the
20 attendance of eligible children for child care services.

21 b. A licensed child care center or a registered family day care
22 provider for which the subsidy payment is based on enrollment of
23 children who are eligible for child care services shall comply at all
24 times with requirements concerning the ratio of staff to enrolled
25 children, as established pursuant to regulation by the Office of
26 Licensing in the Department of Children and Families. At no time
27 shall this ratio be based on the attendance of children eligible for
28 child care services.

29 c. **[Within 12 months following the effective date of this act, the**
30 **division shall conduct a study and submit a written report to the**
31 **Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-**
32 **19.1), to the Legislature]** The division shall conduct a study
33 comparing the costs of basing child care provider subsidy payments
34 on the number of children enrolled who are eligible for child care
35 services and basing such subsidy payments on the number of
36 children in attendance who are eligible for child care services. As
37 part of the study and [report] the reports issued pursuant to this
38 section, the division may consider other measures that may be taken
39 with respect to the payment of subsidies to licensed child care
40 centers and registered family day care providers to ensure stability
41 for providers and best serve families of children eligible for child
42 care services.

43 The division shall issue an initial report on the study to the
44 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
45 19.1), to the Legislature within 12 months following the effective

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 date of this act, and a final report within three years of the effective
2 date this act.

3 d. The Commissioner of Human Services shall apply for such
4 State plan amendments or waivers as may be necessary to
5 implement the provisions of this section and to continue to secure
6 any available federal financial participation for the applicable child
7 care programs.

8 e. As used in this section, “child care services” means those
9 services provided to eligible children, as certified by the Division of
10 Family Development within the Department of Human Services, for
11 which the division receives and administers State and federal
12 funding to provide subsidy payments to licensed child care centers
13 and registered family day care providers.

14 (cf: P.L.2021, c.324, s.1)

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16 2. This act shall take effect immediately.

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STATEMENT

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21 This bill extends the applicability of P.L.2021, c.324, which
22 requires that subsidy payments to licensed child care providers be
23 based on enrollment of students who are eligible for child care
24 services, rather than on attendance, to provide that the provisions of
25 the law continue for an additional three years, instead of expiring on
26 June 30, 2022 as provided for in existing law.

27 The bill also directs the Division of Family Development in the
28 Department of Human Services to submit an initial report, to the
29 Governor and the Legislature, on the study conducted under the
30 provisions of P.L.2021, c.324 within 12 months following the
31 effective date of the law and a final report within three years
32 following the enactment of this bill.

33 Existing law requires the division to study and submit a written
34 report to the Governor and the Legislature within 12 months of the
35 effective date of the law. The law does not specify that the division
36 submit an initial report within the law’s prescribed time limit, nor
37 does it require that the division submit a final report.