

[First Reprint]

**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:**

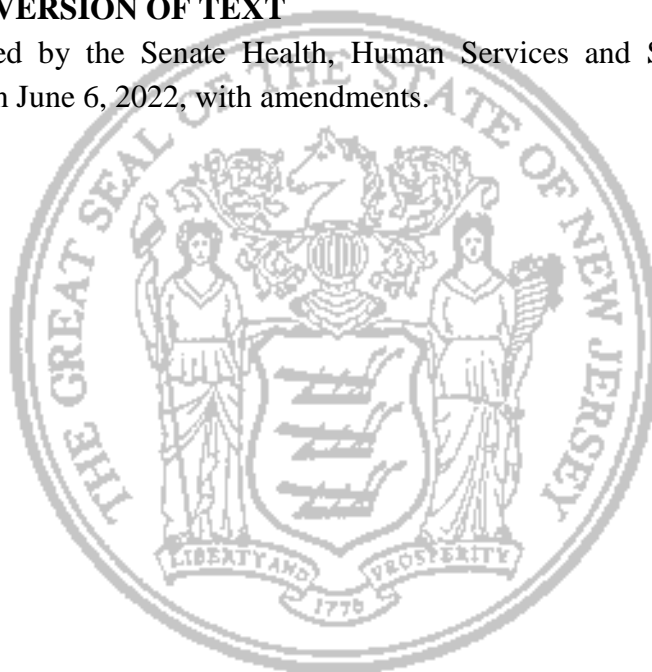
**Senators Cruz-Perez, Cryan, Cunningham, Singleton, Stanfield, Turner  
and Stack**

**SYNOPSIS**

Amends law requiring certain provider subsidy payments for child care services be based on enrollment.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on June 6, 2022, with amendments.



**(Sponsorship Updated As Of: 10/6/2022)**

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:

6

7 <sup>1</sup>1. The title of P.L.2021, c.324 is amended to read as follows:

8 AN ACT concerning State subsidies to child care providers,  
9 supplementing Title 30 of the Revised Statutes, and making an  
10 appropriation.<sup>1</sup>

11 (cf: P.L.2021, c.324, Title)

12

13 <sup>1</sup>**[1.] 2.**<sup>1</sup> Section 1 of P.L.2021, c.324 <sup>1</sup>(C.\_\_\_\_\_)<sup>1</sup> is amended to  
14 read as follows:

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

28 b. <sup>1</sup>(1)<sup>1</sup> A licensed child care center or a registered family day  
29 care provider for which the subsidy payment is based on enrollment of  
30 children who are eligible for child care services shall comply at all  
31 times with requirements concerning the ratio of staff to enrolled  
32 children, as established pursuant to regulation by the Office of  
33 Licensing in the Department of Children and Families. At no time  
34 shall this ratio be based on the attendance of children eligible for child  
35 care services.

36 <sup>1</sup>(2) A licensed child care center or a registered family day care  
37 provider receiving an enrollment-based subsidy payment pursuant to  
38 this section shall pay wages to its staff, and determine the number of  
39 hours worked by staff, based on the number of children enrolled with  
40 the provider who are eligible for child care services. At no time shall  
41 the amount of wages paid to staff or the number of hours worked by  
42 staff be based on the attendance of children eligible for child care  
43 services.<sup>1</sup>

44 c. **[**Within 12 months following the effective date of this act, the  
45 division shall conduct a study and submit a written report to the

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SHH committee amendments adopted June 6, 2022.

1 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
2 to the Legislature] The division shall conduct a study comparing the  
3 costs of basing child care provider subsidy payments on the number of  
4 children enrolled who are eligible for child care services and basing  
5 such subsidy payments on the number of children in attendance who  
6 are eligible for child care services. As part of the study and [report]  
7 the reports issued pursuant to this section, the division may consider  
8 other measures that may be taken with respect to the payment of  
9 subsidies to licensed child care centers and registered family day care  
10 providers to ensure stability for providers and best serve families of  
11 children eligible for child care services.

12 The division shall issue an initial report on the study to the  
13 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
14 to the Legislature within 12 months following the effective date of  
15 1[~~this act~~] P.L.2021, c.324 (C. )<sup>1</sup> , and a final report within three  
16 years of the effective date 1[~~this act~~] of P.L. , c. (C. ) (pending  
17 before the Legislature as this bill)<sup>1</sup> .

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

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

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

29

30 <sup>1</sup>[2.] 3.<sup>1</sup> This act shall take effect immediately.