ASSEMBLY, No. 5732

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 17, 2021

Sponsored by:
Assemblywoman YVONNE LOPEZ
District 19 (Middlesex)
Assemblyman ROY FREIMAN
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
Assemblywoman GABRIELA M. MOSQUERA
District 4 (Camden and Gloucester)

Co-Sponsored by:
Assemblywoman Timberlake

SYNOPSIS

Requires State provider subsidy payments for child care services be based on enrollment.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/9/2021)

AN ACT concerning State subsidies to certain child care providers and supplementing chapter 5B of Title 30 of the Revised Statutes.

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

1. a. Notwithstanding any law, rule, or regulation to the contrary, the Division of Family Development in the Department of Human Services shall require a subsidy payment, which is issued to a child care provider licensed pursuant to P.L. L.1983, c.492 (C.30:5B-1 et seq.) or a family day care provider registered by a family day care sponsoring organization pursuant to the "Family Day Care Provider Registration Act," P.L.1987, c.27 (C.30:5B-16 et seq.), for child care services, to be based on the number of children enrolled with the child care provider who are eligible for child care services. At no time shall such subsidy payment be based the number of eligible children who are actually in attendance.

b. The subsidy payment issued to a licensed child care provider or a registered family day care provider pursuant to subsection a. of this section shall be based on the number of children enrolled with the provider on October 15 and April 15 of each year.

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

d. As used in this section, "child care services" means those services provided to eligible children, as certified by the Division of Family Development, for which the division receives and administers State and federal funding to provide subsidy payments to licensed child care providers or registered family day care providers.

2. The Commissioner of Human Services, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) shall adopt rules and regulations necessary to implement the provisions of this act.

3. This act shall take effect immediately.

STATEMENT

This bill provides for the Division of Family Development in the Department of Human Services to require that subsidy payments issued to child care providers licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.) or a family day care provider registered by a

family day care sponsoring organization pursuant to the "Family Day Care Provider Registration Act," P.L.1987, c.27 (C.30:5B-16 et seq.) for child care services be based on enrollment instead of attendance, as currently provided by regulation. The subsidy payments are to be based on the number of children enrolled with providers on October 15 and April 15 of each year.

The bill further provides that at no time is a subsidy payment to be based on the number of eligible children who are actually in attendance.

Under the bill, "child care services" means those services provided to eligible children, as certified by the Division of Family Development, for which the division receives and administers State and federal funding to provide subsidy payments to licensed child care providers or registered family day care providers.

It is critical that the State ensure adequate funding for licensed child care providers and registered family day care providers who serve low-income families, particularly as they face higher operating costs and reduced enrollment due to the coronavirus disease 2019 (COVID-19) pandemic.

In order to ensure the continued success of these child care providers, it is the sponsor's intent to provide relief to financially struggling licensed child care providers and registered family day care providers who care for, educate, and support the State's low-income families. By basing subsidy payments issued to licensed child care providers and registered family day care providers on enrollment, rather than attendance, the bill offers a more reliable source of income for these child care providers.