

[First Reprint]

ASSEMBLY, No. 5863

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 9, 2021

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**Assemblywomen Vainieri, Huttle, Jimenez, Murphy, Dunn, Jasey,
Timberlake, Lopez and Assemblyman Armato**

SYNOPSIS

Establishes child care revitalization fund in Department of Community Affairs; appropriates \$100,000,000.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 22, 2021, with amendments.

(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT establishing a child care revitalization fund, appropriating
2 \$100,000,000, and supplementing Title 30 of the New Jersey
3 Statutes.

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

7
8 ¹**[**1. The Legislature finds and declares that:

9 a. Working mothers in New Jersey and across the nation have
10 been disparately affected by child care and school closures during
11 the coronavirus 2019 (COVID-19) pandemic.

12 b. According to the United States Census Bureau, 1.6 million
13 fewer women with school-aged children were actively working in
14 January 2021, when compared with January 2020.

15 c. A Kaiser family Foundation survey conducted in late 2020
16 found that 30 percent of working mothers interviewed had taken
17 time off from work due to child care or school closures.

18 d. Without access to affordable, high-quality child care, New
19 Jersey's working mothers will continue to face the difficult choice
20 between caring for their young children and their careers.

21 e. Fully-operating schools and licensed child care providers are
22 critical to the New Jersey's reopening plan, as well as the State's
23 economic recovery from the COVID-19 pandemic.

24 f. Too many licensed child care providers have been unable to
25 re-open following pandemic-related closures, due to high operating
26 costs and reduced capacity required to slow the spread of COVID-
27 19.

28 g. It is in the public interest for the Legislature to create a fund
29 to address the critical child care and economic issues faced by the
30 State's working families and licensed child care providers. ¹**]**

31
32 ¹**[**2.a. There is created within the Department of Children and
33 Families a dedicated, non-lapsing fund to be known as the Child
34 Care Revitalization Fund for the purpose of supporting child care
35 providers, licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.),
36 who were severely impacted by high operating costs and reduced
37 capacity required to mitigate the health impact of the coronavirus
38 2019 (COVID-19) pandemic.

39 b. The Commissioner of the Department of Children and
40 Families, in consultation with the Commissioner of Human Services
41 and the Chief Executive of the Economic Development Authority,
42 shall establish processes by which licensed child care providers may
43 submit, through an online portal, applications for assistance through
44 the fund, and by which the allocation of resources from the fund
45 may be prioritized.

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:

¹Assembly ABU committee amendments adopted June 22, 2021.

1 c. Authorized allocations from the fund are to be disbursed to
2 licensed child care providers within 21 days of the department's
3 receipt of a qualifying application, as submitted by a provider
4 through the online portal established pursuant to this act, prior to
5 September 1, 2021.

6 d. The commissioner, pursuant to the "Administrative
7 Procedure Act" P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt
8 such rules and regulations as necessary to implement the provisions
9 of this act.】¹

10
11 ¹【3. There is appropriated \$100,000,000 from the General Fund
12 to the Department of Children and Families to effectuate the
13 purposes of this act.】¹

14
15 ¹1. a. There is appropriated to the Division of Disaster Recovery
16 and Mitigation in the Department of Community Affairs \$15,500,000
17 in federal funds allocated to the State from the federal "Coronavirus
18 State Fiscal Recovery Fund" established pursuant to the federal
19 "American Rescue Plan Act", Pub.L.117-2, and such amounts shall be
20 made available to the Department of Children and Families to create
21 workforce development supports and conduct a child care landscape
22 study, and of such amounts, not more than 2.5 percent, subject to the
23 division's ultimate review and approval, shall be utilized by the
24 Department of Children and Families for organizational,
25 administrative and other work and services, including salaries,
26 equipment, services, and materials necessary to administer the
27 activities authorized by this subsection. The Department of Children
28 and Families shall enter into a memorandum of understanding or grant
29 agreement, as applicable, with the division to effectuate the purposes
30 of this subsection, to establish appropriate administrative costs, and to
31 ensure compliance with federal rules and guidance, including with
32 respect to the "American Rescue Plan Act," Pub.L.117-2.

33 b. The division shall be the State's grant manager for federal
34 "Coronavirus State Fiscal Recovery Funds," and is responsible for
35 ensuring compliance with all applicable federal rules and regulations
36 for this act, including, but not limited to, submitting all required
37 reporting and documentation to the United States Department of the
38 Treasury in accordance with federal rules, including with respect to
39 the "American Rescue Plan Act," Pub.L.117-2. As the State's grant
40 manager for federal "Coronavirus State Fiscal Recovery Funds," the
41 division shall require funds for organizational, administrative, and
42 other work and services, including salaries, services, equipment, and
43 materials necessary to administer the applicable provisions of this
44 act.

45 c. Notwithstanding the provisions of subsection a. of this
46 section to the contrary, the division may transfer the uncommitted
47 balance of any funds made available pursuant to this section for any
48 use authorized under this act. The division shall submit notice to the

1 Joint Budget Oversight Committee no less than five calendar days
2 before the date of the transfer. The notice shall indicate the amount
3 of the transferred funds and the purpose for which the funds are
4 transferred.¹

5
6 ¹2. a. There is appropriated to the Division of Disaster Recovery
7 and Mitigation in the Department of Community Affairs \$54,500,000
8 in federal funds allocated to the State from the federal “Coronavirus
9 State Fiscal Recovery Fund” established pursuant to the federal
10 “American Rescue Plan Act”, Pub.L.117-2, and such amounts shall be
11 made available to the New Jersey Economic Development Authority
12 for the purpose of providing technical assistance to licensed child care
13 providers, registered family child care homes and grants to child care
14 providers for facilities improvements which grants shall be allocated,
15 on a rolling basis, to licensed child care providers, registered family
16 child care homes, and child care providers, and of such amounts, not
17 more than 2.5 percent, subject to the division’s ultimate review and
18 approval, shall be utilized by the New Jersey Economic Development
19 Authority for organizational, administrative and other work and
20 services, including salaries, equipment, services, and materials
21 necessary to administer the activities authorized by this subsection.
22 The New Jersey Economic Development Authority shall enter into a
23 memorandum of understanding or grant agreement, as applicable, with
24 the division to effectuate the purposes of this subsection, to establish
25 appropriate administrative costs, and to ensure compliance with
26 federal rules and guidance, including with respect to the “American
27 Rescue Plan Act,” Pub.L.117-2.

28 b. The division shall be the State’s grant manager for federal
29 “Coronavirus State Fiscal Recovery Funds,” and is responsible for
30 ensuring compliance with all applicable federal rules and regulations
31 for this act, including, but not limited to, submitting all required
32 reporting and documentation to the United States Department of the
33 Treasury in accordance with federal rules, including with respect to
34 the “American Rescue Plan Act,” Pub.L.117-2. As the State’s grant
35 manager for federal “Coronavirus State Fiscal Recovery Funds,” the
36 division shall require funds for organizational, administrative, and
37 other work and services, including salaries, services, equipment, and
38 materials necessary to administer the applicable provisions of this
39 act.

40 c. Notwithstanding the provisions of subsection a. of this
41 section to the contrary, the division may transfer the uncommitted
42 balance of any funds made available pursuant to this section for any
43 use authorized under this. The division shall submit notice to the
44 Joint Budget Oversight Committee no less than five calendar days
45 before the date of the transfer. The notice shall indicate the amount
46 of the transferred funds and the purpose for which the funds are
47 transferred.¹

1 ¹3. a. There is appropriated to the Division of Disaster Recovery
2 and Mitigation in the Department of Community Affairs \$30,000,000
3 in federal funds allocated to the State from the federal “Coronavirus
4 State Fiscal Recovery Fund” established pursuant to the federal
5 “American Rescue Plan Act”, Pub.L.117-2, and such amounts shall be
6 made available to the Department of Human Services for the purpose
7 of providing grants to the licensed child care providers or employees
8 of licensed child care providers, which grants shall be allocated, on a
9 rolling basis, to licensed child care providers or employees of licensed
10 child care providers within 45 days of the department’s receipt of a
11 complete qualifying application, and of such amounts, not more than
12 2.5 percent, subject to the division’s ultimate review and approval,
13 shall be utilized by the Department of Human Services for
14 organizational, administrative and other work and services, including
15 salaries, equipment, services, and materials necessary to administer the
16 activities authorized by this subsection. The Department of Human
17 Services shall enter into a memorandum of understanding or grant
18 agreement, as applicable, with the division to effectuate the purposes
19 of this act subsection, to establish appropriate administrative costs, and
20 to ensure compliance with federal rules and guidance, including with
21 respect to the “American Rescue Plan Act,” Pub.L.117-2.

22 b. The division shall be the State’s grant manager for federal
23 “Coronavirus State Fiscal Recovery Funds,” and is responsible for
24 ensuring compliance with all applicable federal rules and regulations
25 for this section, including, but not limited to, submitting all required
26 reporting and documentation to the United States Department of the
27 Treasury in accordance with federal rules, including with respect to
28 the “American Rescue Plan Act,” Pub.L.117-2. As the State’s grant
29 manager for federal “Coronavirus State Fiscal Recovery Funds,” the
30 division shall require funds for organizational, administrative, and
31 other work and services, including salaries, services, equipment, and
32 materials necessary to administer the applicable provisions of this
33 act.

34 c. Notwithstanding the provisions of subsection a. of this
35 section to the contrary, the division may transfer the uncommitted
36 balance of any funds made available pursuant to this section for any
37 use authorized under this act. The division shall submit notice to the
38 Joint Budget Oversight Committee no less than five calendar days
39 before the date of the transfer. The notice shall indicate the amount
40 of the transferred funds and the purpose for which the funds are
41 transferred.¹

42
43 4. This act shall take effect immediately.