

[First Reprint]
SENATE, No. 3990

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 21, 2021

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 21, 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:

¹Senate SBA committee amendments adopted June 21, 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
16 Recovery and Mitigation in the Department of Community Affairs
17 \$15,500,000 in federal funds allocated to the State from the federal
18 “Coronavirus State Fiscal Recovery Fund” established pursuant to
19 the federal “American Rescue Plan Act”, Pub.L.117-2, and such
20 amounts shall be made available to the Department of Children and
21 Families to create workforce development supports and conduct a
22 child care landscape study, and of such amounts, not more than 2.5
23 percent, subject to the division’s ultimate review and approval, shall
24 be utilized by the Department of Children and Families for
25 organizational, administrative and other work and services,
26 including salaries, equipment, services, and materials necessary to
27 administer the activities authorized by this subsection. The
28 Department of Children and Families shall enter into a
29 memorandum of understanding or grant agreement, as applicable,
30 with the division to effectuate the purposes of this subsection, to
31 establish appropriate administrative costs, and to ensure compliance
32 with federal rules and guidance, including with respect to the
33 “American Rescue Plan Act,” Pub.L.117-2.

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

46 c. Notwithstanding the provisions of subsection a. of this
47 section to the contrary, the division may transfer the uncommitted
48 balance of any funds made available pursuant to this section for any

1 use authorized under this act. The division shall submit notice to
2 the Joint Budget Oversight Committee no less than five calendar
3 days before the date of the transfer. The notice shall indicate the
4 amount of the transferred funds and the purpose for which the funds
5 are transferred.¹

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

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

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

1 of the transferred funds and the purpose for which the funds are
2 transferred.¹

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

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

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

47
48 4. This act shall take effect immediately.