

[Second Reprint]
SENATE, No. 3990

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 21, 2021

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District 19 (Middlesex)

Co-Sponsored by:

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

SYNOPSIS

Appropriates \$100,000,000 to DCA for purpose of studying and providing grants and technical assistance to licensed and registered child care providers to support workforce development and other improvements.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 24, 2021.

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

1 AN ACT ²**[**establishing a child care revitalization fund**]** concerning
2 licensed and registered child care providers², appropriating
3 \$100,000,000, and supplementing Title ²**[30]** 52² of the New
4 Jersey Statutes.

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

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

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

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

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

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

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

25 f. Too many licensed child care providers have been unable to
26 re-open following pandemic-related closures, due to high operating
27 costs and reduced capacity required to slow the spread of COVID-
28 19.

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

32
33 ¹**[**2. a. There is created within the Department of Children and
34 Families a dedicated, non-lapsing fund to be known as the Child
35 Care Revitalization Fund for the purpose of supporting child care
36 providers, licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.),
37 who were severely impacted by high operating costs and reduced
38 capacity required to mitigate the health impact of the coronavirus
39 2019 (COVID-19) pandemic.

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

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.

²Assembly floor amendments adopted June 24, 2021.

1 the fund, and by which the allocation of resources from the fund
2 may be prioritized.

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

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

12

13 ¹[3. There is appropriated \$100,000,000 from the General Fund
14 to the Department of Children and Families to effectuate the
15 purposes of this act.]¹

16

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

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

1 c. Notwithstanding the provisions of subsection a. of this
2 section to the contrary, the division may transfer the uncommitted
3 balance of any funds made available pursuant to this section for any
4 use authorized under this act. The division shall submit notice to
5 the Joint Budget Oversight Committee no less than five calendar
6 days before the date of the transfer. The notice shall indicate the
7 amount of the transferred funds and the purpose for which the funds
8 are transferred.¹

9
10 ¹2. a. There is appropriated to the Division of Disaster
11 Recovery and Mitigation in the Department of Community Affairs
12 \$54,500,000 in federal funds allocated to the State from the federal
13 “Coronavirus State Fiscal Recovery Fund” established pursuant to
14 the federal “American Rescue Plan Act”, Pub.L.117-2, and such
15 amounts shall be made available to the New Jersey Economic
16 Development Authority for the purpose of providing technical
17 assistance to licensed child care providers, registered family child
18 care homes and grants to child care providers for facilities
19 improvements which grants shall be allocated, on a rolling basis, to
20 licensed child care providers, registered family child care homes,
21 and child care providers, and of such amounts, not more than 2.5
22 percent, subject to the division’s ultimate review and approval, shall
23 be utilized by the New Jersey Economic Development Authority for
24 organizational, administrative and other work and services,
25 including salaries, equipment, services, and materials necessary to
26 administer the activities authorized by this subsection. The New
27 Jersey Economic Development Authority shall enter into a
28 memorandum of understanding or grant agreement, as applicable,
29 with the division to effectuate the purposes of this subsection, to
30 establish appropriate administrative costs, and to ensure compliance
31 with federal rules and guidance, including with respect to the
32 “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
36 regulations for this act, including, but not limited to, submitting all
37 required reporting and documentation to the United States
38 Department of the Treasury in accordance with federal rules,
39 including with respect to the “American Rescue Plan Act,”
40 Pub.L.117-2. As the State’s grant manager for federal “Coronavirus
41 State Fiscal Recovery Funds,” the division shall require funds for
42 organizational, administrative, and other work and services,
43 including salaries, services, equipment, and materials necessary to
44 administer the applicable provisions of this 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

1 use authorized under this ²act² . 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 ¹3. a. There is appropriated to the Division of Disaster
8 Recovery and Mitigation in the Department of Community Affairs
9 \$30,000,000 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 Department of Human
13 Services for the purpose of providing grants to the licensed child
14 care providers², registered family day care providers,² or employees
15 of licensed child care providers ²or registered family day care
16 providers² , which grants shall be allocated, on a rolling basis, to
17 licensed child care providers², registered family day care
18 providers,² or employees of licensed child care providers ²or
19 registered family day care providers² within 45 days of the
20 department’s receipt of a complete qualifying application, and of
21 such amounts, not more than 2.5 percent, subject to the division’s
22 ultimate review and approval, shall be utilized by the Department of
23 Human Services for organizational, administrative and other work
24 and services, including salaries, equipment, services, and materials
25 necessary to administer the activities authorized by this subsection.
26 The Department of Human Services shall enter into a memorandum
27 of understanding or grant agreement, as applicable, with the
28 division to effectuate the purposes of this act subsection, to
29 establish appropriate administrative costs, and to ensure compliance
30 with federal rules and guidance, including with respect to the
31 “American Rescue Plan Act,” Pub.L.117-2.

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

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

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

5

6 4. This act shall take effect immediately.