

SECOND REGULAR SESSION

HOUSE BILL NO. 2264

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GRISAMORE (Sponsor), AVERY, FRANZ, PRATT, McGHEE, SILVEY, SCHNEIDER, MOORE, SANDER, ZIMMERMAN, STORCH, OXFORD, GRILL, TALBOY, LOW (39) AND DARROUGH (Co-sponsors).

Read 1st time February 26, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4741L.02I

AN ACT

To amend chapters 208 and 210, RSMo, by adding thereto three new sections relating to child care.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 208 and 210, RSMo, are amended by adding thereto three new sections, to be known as sections 208.046, 210.028, and 1, to read as follows:

208.046. **1. It is the intent and goal of the general assembly for the children's division to modify the income eligibility criteria for any person receiving state-funded child care subsidy assistance under this chapter by July 1, 2012, so that, such persons with incomes of less than one hundred eighty-five percent of the federal poverty level for the applicable family size shall be eligible, subject to appropriations, to receive child care subsidy benefits on a sliding fee scale established by the children's division based on family size and income.**

2. The children's division may promulgate rules to assist persons receiving state-funded child care assistance under this chapter whose income subsequently is in excess of one hundred eighty-five percent of the federal poverty level in transitioning such persons off of state assistance.

3. If appropriations in a fiscal year are insufficient to provide the subsidy established under this chapter for all eligible recipients, the children's division may

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 establish a waiting list and promulgate rules for the prioritization of eligible recipients on
15 the waiting list.

16 **4. The sliding scale fee established in this section for child care subsidy recipients**
17 **may be waived for children with special needs as determined by the children's division.**

18 **5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
19 **that is created under the authority delegated in this section shall become effective only if**
20 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
21 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
22 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
23 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
24 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
25 **adopted after August 28, 2008, shall be invalid and void.**

210.028. It is the intent and goal of the general assembly that by July 1, 2012, all
2 **licensed child care providers serving families receiving state child care assistance shall be**
3 **reimbursed at the current market rate for child care as established by the biannual state**
4 **market rate survey conducted by the department of social services.**

Section 1. There is hereby created in the state treasury the "Child Care and
2 **Development Fund", which shall consist of money received from the federal government**
3 **under the federal Child Care and Development Block Grant Program. The state treasurer**
4 **shall be custodian of the fund. In accordance with sections 30.170 and 30.180, RSMo, the**
5 **state treasurer may approve disbursements. Upon appropriation, money in the fund shall**
6 **be used by the department of social services only in accordance with the guidelines**
7 **established by the federal government for the Child Care and Development Block Grant**
8 **Program.**

9 **2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
10 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**
11 **the general revenue fund.**

12 **3. The state treasurer shall invest moneys in the fund in the same manner as other**
13 **funds are invested. Any interest and moneys earned on such investments shall be credited**
14 **to the fund.**

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