

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 167,
2 Page 1, Section A, Line 2, by inserting after all of said section and line the following:

3
4 "105.1500. 1. The department of health and senior services shall approve, administer, and
5 coordinate child care services for the children of state officers and employees. The duties of the
6 department of health and senior services shall include, but are not limited to:

7 (1) Reviewing and approving requests from state departments for child care services;

8 (2) Providing technical assistance on the implementation and operation of child care
9 services; and

10 (3) Assisting other departments in conducting needs assessments, designing centers, and
11 selecting child care service providers.

12 2. (1) Child care services may be located in:

13 (a) State-owned office buildings, including educational facilities and institutions;

14 (b) Privately-owned buildings leased by the state; or

15 (c) With the consent of the president pro tempore of the senate and the speaker of the house
16 of representatives, buildings and spaces used for legislative activities.

17 (2) If a child care service is located in a state-owned office building, including an
18 educational facility or institution, or in a privately-owned building leased by the state, a portion of
19 the child care service provider's rental fee for child care space may be waived by the sponsoring
20 department in accordance with the rules of the department of health and senior services. The
21 sponsoring state department may be responsible for the maintenance, utilities, and other operating
22 costs associated with the child care service.

23 3. Requests for proposals may provide for a sliding fee schedule, with fees charged on the
24 basis of the officer's or employee's household income.

25 4. The provider of proposed child care services shall be selected by competitive bid under
26 chapter 34. Requests for proposals shall be developed with the assistance of, and be subject to the
27 approval of, the department of health and senior services. The sponsoring state department shall be
28 responsible for the management of the contract with the child care service provider.

29 5. An operator selected to provide services shall comply with all state and local standards
30 for the licensure and operation of child care facilities under chapter 210, maintain adequate liability
31 insurance coverage, and assume financial and legal responsibility for the operation of the services
32 provided. Neither the operator nor any personnel employed by or at a child care facility are deemed
33 to be employees of the state.

34 6. A state department may enter into a consortium agreement utilizing available state
35 facilities with not-for-profit corporations to provide child care services to both state employees and
36 employees of the private sector. The consortium agreement shall first address the unmet child care

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1 needs of the children of state employees whose department is a member of the consortium and then
2 may address the child care needs of private sector employees.

3 7. The department of health and senior services shall promulgate rules to implement the
4 provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010,
5 that is created under the authority delegated in this section shall become effective only if it complies
6 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
7 section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
8 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
9 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
10 adopted after August 28, 2019, shall be invalid and void."; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.