

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 776

94TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Public Health, February 21, 2008, with recommendation that the Senate Committee Substitute do pass.

3120S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 208, RSMo, by adding thereto two new sections relating to child care subsidies.

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

Section A. Chapter 208, RSMo, is amended by adding thereto two new sections, to be known as sections 208.026 and 208.046, to read as follows:

208.026. By July 1, 2009, all licensed child care providers serving families receiving state-funded child care assistance shall be reimbursed at the current market rate for child care as established by the biennial state market rate survey conducted by the department of social services pursuant to 42 U.S.C. section 601 et. seq. and 45 CFR 98.43(b)(2).

208.046. 1. The children's division shall promulgate rules to become effective no later than July 1, 2009, to modify the income eligibility criteria for any person receiving state-funded child care assistance under this chapter, either through vouchers or direct reimbursement to child care providers, as follows:

(1) For incomes of less than one hundred forty percent of the federal poverty level for the applicable family size, such persons receiving state-funded child care assistance under this chapter shall be eligible, subject to appropriations, to receive child care subsidy benefits, less a sliding fee established by the children's division based on family size and income;

(2) A person receiving state-funded child care assistance under this chapter and whose income surpasses one hundred forty percent of the federal poverty level for the applicable family size may continue to

15 receive reduced subsidy benefits on a scale established by the
16 children's division until such person's income reaches one hundred
17 eighty-five percent of the federal poverty level for the applicable family
18 size, at which time such person will have assumed the full cost of the
19 maximum base child care subsidy rate established by the children's
20 division and shall be no longer eligible for child care subsidy benefits;

21 (3) If appropriations in a given fiscal year are insufficient to
22 provide the subsidy established under this chapter for all eligible
23 recipients, the children's division shall establish a waiting list and
24 promulgate rules for the prioritization of eligible recipients on the
25 waiting list.

26 2. The sliding scale fee established in this section for child care
27 subsidy recipients may be waived for children with special needs as
28 established by the children's division.

29 3. Any rule or portion of a rule, as that term is defined in section
30 536.010, RSMo, that is created under the authority delegated in this
31 section shall become effective only if it complies with and is subject to
32 all of the provisions of chapter 536, RSMo, and, if applicable, section
33 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
34 and if any of the powers vested with the general assembly pursuant to
35 chapter 536, RSMo, to review, to delay the effective date, or to
36 disapprove and annul a rule are subsequently held unconstitutional,
37 then the grant of rulemaking authority and any rule proposed or
38 adopted after August 28, 2008, shall be invalid and void.

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