

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 94**  
95TH GENERAL ASSEMBLY

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Reported from the Committee on Education, March 12, 2009, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

0253S.03C

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**AN ACT**

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

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

Section A. Chapter 208, RSMo, is amended by adding thereto one new  
2 section, to be known as section 208.046, to read as follows:

**208.046. 1. The children's division shall promulgate rules to  
2 become effective no later than July 1, 2010, to modify the income  
3 eligibility criteria for any person receiving state-funded child care  
4 assistance under this chapter, either through vouchers or direct  
5 reimbursement to child care providers, as follows:**

6       **(1) Child care recipients eligible under this chapter and the  
7 criteria set forth in 13 CSR 35-32.010, may pay a fee based on gross  
8 income and family size unit based on a child care sliding fee scale  
9 established by the children's division, which shall be subject to  
10 appropriations. However, a person receiving state-funded child care  
11 assistance under this chapter and whose income surpasses the annual  
12 appropriation level may continue to receive reduced subsidy benefits  
13 on a scale established by the children's division until such person's  
14 income reaches forty-five percent above such annual appropriation  
15 level, at which time such person will have assumed the full cost of the  
16 maximum base child care subsidy rate established by the children's  
17 division and shall be no longer eligible for child care subsidy benefits;**

18       **(2) The sliding scale fee may be waived for children with special  
19 needs as established by the division; and**

20       **(3) The maximum payment by the division shall be the applicable**

21 rate minus the applicable fee.

22           2. For purposes of this section, "annual appropriation level" shall  
23 mean the percentage of the federal poverty level for the applicable  
24 family size necessary to be eligible for the subsidy under this section  
25 as determined by annual appropriation.

26           3. Any rule or portion of a rule, as that term is defined in section  
27 536.010, RSMo, that is created under the authority delegated in this  
28 section shall become effective only if it complies with and is subject to  
29 all of the provisions of chapter 536, RSMo, and, if applicable, section  
30 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
31 and if any of the powers vested with the general assembly pursuant to  
32 chapter 536, RSMo, to review, to delay the effective date, or to  
33 disapprove and annul a rule are subsequently held unconstitutional,  
34 then the grant of rulemaking authority and any rule proposed or  
35 adopted after August 28, 2009, shall be invalid and void.

✓  
Bill

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