FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1540

Introduced by

Representatives O'Brien, Lefor, Mitskog, Nelson, Stemen, Vigesaa, Weisz

Senators Hogan, Kreun, Lee

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota

2 Century Code, relating to the establishment of a child care stabilization program; to amend and

3 reenact sections 50-33-02 and 50-33-07 of the North Dakota Century Code, relating to early

4 childhood services and child care assistance; to provide for a legislative management report; to

5 provide an appropriation; and to provide an effective date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 50-11.1 of the North Dakota Century Code is created

8 and enacted as follows:

9 **Child care stabilization program.**

10 1. The department shall establish a child care stabilization program to address child care

11 workforce shortages. The department shall remit a monthly payment to each licensed

12 early childhood services provider based on the number of children receiving early

13 childhood services on the premises under the license. The monthly payment is

14 calculated at seventy-five dollars per number of children from birth to less than

15 eighteen months of age.

16 2. A provider that receives funding under the program shall report annually to the

17 department on how the funding was used to directly address the wages and benefits

18 of child care workers.

19 3. Payments under the program to a provider must be discontinued if the provider is

20 under a provisional license for longer than three months.

21 **SECTION 2. AMENDMENT.** Section 50-33-02 of the North Dakota Century Code is

22 amended and reenacted as follows:

1   a.   Exceed available federal and non-federal funding; and

2   b.   Provide benefits to a family whose income exceeds eighty-five percent of the

3   state median income for a family of the same size.

4   2.   The sliding fee schedule established by the department may not charge a fee to a

5   family whose income does not exceed thirty percent of the state median income for a

6   family of the same size.

7   3.   Child care costs that exceed maximums established under this section are the

8   responsibility of the family and may not be considered in determining the child care

9   assistance program payment amount.

10   **SECTION 4. AMENDMENT.** Section 50-33-07 of the North Dakota Century Code is

11   amended and reenacted as follows:

12   **50-33-07. Sliding fee schedule.**

13   1.   The sliding fee schedule established by the department for inclusion within the child

14   care and development fund state plan to determine eligibility, benefit levels, and the

15   portion of the allowable child care cost that may be paid as a benefit under this

16   chapter, must not:

17   a.   Exceed available federal and non-federal funding; and

18   b.   Provide benefits to a family whose income exceeds eighty-fiveseventy-five

19   percent of the state median income for a family of the same size.

20   2.   The sliding fee schedule established by the department may not charge a fee to a

21   family whose income does not exceed thirty percent of the state median income for a

22   family of the same size.

23   3.   Child care costs that exceed maximums established under this section are the

24   responsibility of the family and may not be considered in determining the child care

25   assistance program payment amount.

26   **SECTION 5. LEGISLATIVE MANAGEMENT REPORT - EARLY CHILDHOOD**

27   **PROGRAMS.** During the 2023-24 interim, the department of health and human services shall

28   provide reports to the legislative management regarding the status of early childhood programs

29   managed by the department.

30   **SECTION 6. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES -**

31   **CHILD CARE FOR THE WORKPLACE.** There is appropriated out of any moneys in the