

FIRST REGULAR SESSION

HOUSE BILL NO. 1193

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE INGLE.

1973H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to child care services for state employees.

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

Section A. Chapter 105, RSMo, is amended by adding thereto one new section, to be known as section 105.1500, to read as follows:

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

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

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

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

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

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

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

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

(2) If a child care service is located in a state-owned office building, including an educational facility or institution, or in a privately-owned building leased by the state, a

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.

18 portion of the child care service provider's rental fee for child care space may be waived
19 by the sponsoring department in accordance with the rules of the department of health and
20 senior services. The sponsoring state department may be responsible for the maintenance,
21 utilities, and other operating costs associated with the child care service.

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

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

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

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

40 7. The department of health and senior services shall promulgate rules to
41 implement the provisions of this section. Any rule or portion of a rule, as that term is
42 defined in section 536.010, that is created under the authority delegated in this section shall
43 become effective only if it complies with and is subject to all of the provisions of chapter
44 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
45 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
46 to delay the effective date, or to disapprove and annul a rule are subsequently held
47 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
48 after August 28, 2019, shall be invalid and void.

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