

SECOND REGULAR SESSION

HOUSE BILL NO. 2614

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HEIN.

5282H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 208.046, RSMo, and to enact in lieu thereof one new section relating to child care assistance.

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

Section A. Section 208.046, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.046, to read as follows:

208.046. 1. The department of elementary and secondary education shall promulgate rules to modify the income eligibility criteria for any person receiving state-funded child care assistance, either through vouchers or direct reimbursement to child care providers, as follows:

(1) (a) Child care recipients eligible under this chapter and the criteria set forth in 5 CSR 25-200 may pay a fee based on adjusted gross income and family size unit based on a child care sliding fee scale established by the department of elementary and secondary education, which shall be subject to appropriations. However, a person receiving state-funded child care assistance under this chapter and whose income surpasses the annual appropriation level may continue to receive reduced subsidy benefits on a scale established by the department, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the department and shall be no longer eligible for child care subsidy benefits;

(b) A household shall have all earned and unearned income excluded from the eligibility determination if an applicant or responsible adult meets the requirements of this chapter, the criteria set forth in 5 CSR 25-200, and has verified employment of twenty hours or more per week in 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 **a. Regulated child care facility;**
19 **b. Licensed child care center;**
20 **c. Registered child care center; or**
21 **d. Group home;**

22 (2) The sliding scale fee may be waived for children with special needs as established
23 by the department; and

24 (3) The maximum payment by the department shall be the applicable rate minus the
25 applicable fee.

26 2. For purposes of this section, "annual appropriation level" shall mean the maximum
27 income level to be eligible for a full child care benefit as determined through the annual
28 appropriations process.

29 3. Any rule or portion of a rule, as that term is defined in section 536.010, that is
30 created under the authority delegated in this section shall become effective only if it complies
31 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
32 This section and chapter 536 are nonseverable and if any of the powers vested with the
33 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
34 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
35 rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid
36 and void.

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