

1 AN ACT relating to the Child Care Assistance Program.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF SUBCHAPTER 12 OF KRS CHAPTER  
4 154 IS CREATED TO READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "In-demand industry sector" means an industry sector that has a*  
7 *substantial current or potential impact on the state, regional, or local*  
8 *economy, and that contributes to the growth or stability of other supporting*  
9 *businesses or the growth of other industry sectors; and*

10 *(b) "In-demand occupation" means an occupation that currently has or is*  
11 *projected to have a number of positions in an industry sector so as to have a*  
12 *substantial impact on the state, regional, or local economy.*

13 *(2) By January 1 of each year, the cabinet shall:*

14 *(a) Create lists of in-demand industry sectors and in-demand occupations using*  
15 *state and regional business and labor market projections, including the use*  
16 *of labor market information; and*

17 *(b) Transmit the lists described in paragraph (a) of this subsection to the*  
18 *Cabinet for Health and Family Services for use in determining eligibility*  
19 *criteria for the Child Care Assistance Program as defined in Section 2 of*  
20 *this Act.*

21 *(3) The cabinet shall promulgate administrative regulations in accordance with KRS*  
22 *Chapter 13A to implement this section.*

23 ➔Section 2. KRS 199.894 is amended to read as follows:

24 As used in KRS 199.892 to 199.896, unless the context otherwise requires:

25 (1) "Cabinet" means the Cabinet for Health and Family Services;

26 (2) *"Child Care and Development Fund" has the same meaning as in 45 C.F.R. sec.*  
27 *98.2;*

1 **(3) "Child Care Assistance Program" means Kentucky's child-care subsidy program**  
 2 **providing families who meet state eligibility requirements with financial**  
 3 **resources to find and afford quality child care**~~["Secretary" means secretary for~~  
 4 ~~health and family services];~~

5 ~~(4)~~~~(3)~~ "Child-care center" means any child-care center that provides full- or part-  
 6 time care, day or night, to four (4) or more children in a nonresidential setting who  
 7 are not the children, grandchildren, nieces, nephews, or children in legal custody of  
 8 the operator. "Child-care center" shall not include any child-care facility operated  
 9 by a religious organization while religious services are being conducted, or a youth  
 10 development agency. For the purposes of this section, "youth development agency"  
 11 means a program with tax-exempt status under 26 U.S.C. sec. 501(c)(3), which  
 12 operates continuously throughout the year as an outside-school-hours center for  
 13 youth who are six (6) years of age or older, and for which there are no fee or  
 14 scheduled-care arrangements with the parent or guardian of the youth served;

15 ~~(5)~~~~(4)~~ "Department" means the Department for Community Based Services; ~~and~~

16 ~~(6)~~~~(5)~~ "Family child-care home" means a private home that is the primary residence  
 17 of an individual who provides full- or part-time care, day or night, for six (6) or  
 18 fewer children who are not the children, siblings, stepchildren, grandchildren,  
 19 nieces, nephews, or children in legal custody of the provider; **and**

20 **(7) "Secretary" means the secretary of the cabinet.**

21 ➔SECTION 3. A NEW SECTION OF KRS 199.892 TO 199.896 IS CREATED  
 22 TO READ AS FOLLOWS:

23 **(1) Unless federal laws or regulations provide otherwise, applicants for the Child**  
 24 **Care Assistance Program operated by the cabinet utilizing federal funds under**  
 25 **the Child Care and Development Fund in accordance with 45 C.F.R. pt. 98,**  
 26 **whose occupation or employment in a specific industry sector has been**  
 27 **designated by the Cabinet for Economic Development as an in-demand**

1        occupation or employment within an in-demand industry sector under Section 1  
2        of this Act, shall not have to meet income guidelines to be eligible at application  
3        and recertification.

4        (2) The cabinet shall not implement an individual or a family copayment  
5        requirement as a condition for an individual or a family who qualifies under  
6        subsection (1) of this section to participate in the Child Care Assistance Program.

7        (3) The cabinet shall promulgate administrative regulations in accordance with KRS  
8        Chapter 13A to implement this section.

9        ➔Section 4. The Cabinet for Health and Family Services shall promulgate the  
10       administrative regulations required by subsection (3) of Section 3 of this Act within 60  
11       days of receipt of the initial lists of in-demand occupations and in-demand industry  
12       sectors from the Cabinet for Economic Development under Section 1 of this Act.