

**SENATE . . . . . No. 333**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*James T. Welch*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating a disproportionate share childcare provider fund.

PETITION OF:

NAME:

*James T. Welch*

DISTRICT/ADDRESS:

*Hampden*

**SENATE . . . . . No. 333**

---

By Mr. Welch, a petition (accompanied by bill, Senate, No. 333) of James T. Welch for legislation to create a disproportionate share childcare provider fund. Education.

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act creating a disproportionate share childcare provider fund.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1: Notwithstanding any general or special law to the contrary there shall be  
2 established under the Department of Early Education and Care a new fund to be known as the  
3 “Disproportionate Share Childcare Provider Fund”. This fund shall provide supplemental  
4 funding to certain childcare provider agencies which care for a disproportionate number of high  
5 risk children and which meet the criteria set forth in SECTION 3 of this act.

6           SECTION 2: On an annual basis not less than fifty percent of licensing fees collected by  
7 the Department of Early Education and Care shall be deposited into the Disproportionate Share  
8 Childcare Provider Fund established in SECTION 1 of this act.

9           SECTION 3: Childcare provider agencies which meet the following criteria shall be  
10 eligible for supplemental funding from the Disproportionate Childcare Provider Fund:

11           I.) Be an agency which offers center based, family and after school early education  
12 and care programs with a licensed capacity of over 150; and

13           II.)    Have at least 95% of their capacity serving children whose families live at or  
14 below the federal poverty level; and

15           III.)   Not be a provider of HeadStart or eligible for federal funding as a Community  
16 Anti-Poverty Agency; and

17           IV.)    Receive not less than 90% of agency early education and care revenue from the  
18 Department of Early Education and Care; and

19           V.)    Operate in a designated “gateway municipality” as defined by Section 3A of  
20 Chapter 23A of the General Laws.

21           SECTION 4: Licensed childcare provider agencies which meet the criteria set forth in  
22 SECTION 3 of this act shall be entitled to an annual payment from the Disproportionate  
23 Childcare Provider Fund. Payment to eligible agencies shall be made in a manner prescribed by  
24 the Commissioner of Early Education and Care. All funds contained in the account shall be  
25 expended to eligible licensed childcare provider agencies bi-annually in proportion to the  
26 licensed capacity of the eligible agency.

27           SECTION 5: This act shall take effect upon its passage.