

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 570**

**Representatives Isaacsohn, Sweeney**

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**A BILL**

To amend sections 5104.30 and 5104.34 and to enact 1  
section 5104.342 of the Revised Code to provide 2  
publicly funded child care benefits to child 3  
care staff members, to amend the versions of 4  
sections 5104.30 and 5104.34 of the Revised Code 5  
that are scheduled to take effect on January 1, 6  
2025, to continue the changes on and after that 7  
date, and to make an appropriation. 8

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 5104.30 and 5104.34 be amended 9  
and section 5104.342 of the Revised Code be enacted to read as 10  
follows: 11

**Sec. 5104.30.** (A) The department of job and family 12  
services is hereby designated as the state agency responsible 13  
for administration and coordination of federal and state funding 14  
for publicly funded child care in this state. Publicly funded 15  
child care shall be provided to the following: 16

(1) Recipients of transitional child care as provided 17  
under section 5104.34 of the Revised Code; 18

(2) Participants in the Ohio works first program 19

established under Chapter 5107. of the Revised Code; 20

(3) Individuals who would be participating in the Ohio 21  
works first program if not for a sanction under section 5107.16 22  
of the Revised Code and who continue to participate in a work 23  
activity, developmental activity, or alternative work activity 24  
pursuant to an assignment under section 5107.42 of the Revised 25  
Code; 26

(4) A family receiving publicly funded child care on 27  
October 1, 1997, until the family's income reaches one hundred 28  
fifty per cent of the federal poverty line; 29

(5) Subject to available funds, other individuals 30  
determined eligible in accordance with rules adopted under 31  
section 5104.38 of the Revised Code; 32

(6) Subject to available funds, child care staff members 33  
as provided under section 5104.342 of the Revised Code. 34

The department shall apply to the United States department 35  
of health and human services for authority to operate a 36  
coordinated program for publicly funded child care, if the 37  
director of job and family services determines that the 38  
application is necessary. For purposes of this section, the 39  
department of job and family services may enter into agreements 40  
with other state agencies that are involved in regulation or 41  
funding of child care. The department shall consider the special 42  
needs of migrant workers when it administers and coordinates 43  
publicly funded child care and shall develop appropriate 44  
procedures for accommodating the needs of migrant workers for 45  
publicly funded child care. 46

(B) The department of job and family services shall 47  
distribute state and federal funds for publicly funded child 48

care, including appropriations of state funds for publicly 49  
funded child care and appropriations of federal funds available 50  
under the child care block grant act, Title IV-A, and Title XX. 51  
The department may use any state funds appropriated for publicly 52  
funded child care as the state share required to match any 53  
federal funds appropriated for publicly funded child care. 54

(C) In the use of federal funds available under the child 55  
care block grant act, all of the following apply: 56

(1) The department may use the federal funds to hire staff 57  
to prepare any rules required under this chapter and to 58  
administer and coordinate federal and state funding for publicly 59  
funded child care. 60

(2) Not more than five per cent of the aggregate amount of 61  
the federal funds received for a fiscal year may be expended for 62  
administrative costs. 63

(3) The department shall allocate and use at least four 64  
per cent of the federal funds for the following: 65

(a) Activities designed to provide comprehensive consumer 66  
education to parents and the public; 67

(b) Activities that increase parental choice; 68

(c) Activities, including child care resource and referral 69  
services, designed to improve the quality, and increase the 70  
supply, of child care; 71

(d) Establishing the step up to quality program pursuant 72  
to section 5104.29 of the Revised Code. 73

(4) The department shall ensure that the federal funds 74  
will be used only to supplement, and will not be used to 75  
supplant, federal, state, and local funds available on the 76

effective date of the child care block grant act for publicly 77  
funded child care and related programs. If authorized by rules 78  
adopted by the department pursuant to section 5104.42 of the 79  
Revised Code, county departments of job and family services may 80  
purchase child care from funds obtained through any other means. 81

(D) The department shall encourage the development of 82  
suitable child care throughout the state, especially in areas 83  
with high concentrations of recipients of public assistance and 84  
families with low incomes. The department shall encourage the 85  
development of suitable child care designed to accommodate the 86  
special needs of migrant workers. On request, the department, 87  
through its employees or contracts with state or community child 88  
care resource and referral service organizations, shall provide 89  
consultation to groups and individuals interested in developing 90  
child care. The department of job and family services may enter 91  
into interagency agreements with the department of education and 92  
workforce, the chancellor of higher education, the department of 93  
development, and other state agencies and entities whenever the 94  
cooperative efforts of the other state agencies and entities are 95  
necessary for the department of job and family services to 96  
fulfill its duties and responsibilities under this chapter. 97

The department shall develop and maintain a registry of 98  
persons providing child care. The director shall adopt rules in 99  
accordance with Chapter 119. of the Revised Code establishing 100  
procedures and requirements for the registry's administration. 101

(E) (1) The director shall adopt rules in accordance with 102  
Chapter 119. of the Revised Code establishing both of the 103  
following: 104

(a) Reimbursement rates for providers of publicly funded 105  
child care not later than the first day of July in each odd- 106

numbered year;	107
(b) A procedure for reimbursing and paying providers of publicly funded child care.	108 109
(2) In establishing reimbursement rates under division (E) (1) (a) of this section, the director shall do all of the following:	110 111 112
(a) Use the information obtained in accordance with 45 C.F.R. 98.45;	113 114
(b) Establish an enhanced reimbursement rate for providers who provide child care for caretaker parents who work nontraditional hours;	115 116 117
(c) With regard to the step up to quality program established pursuant to section 5104.29 of the Revised Code, establish enhanced reimbursement rates for child care providers that participate in the program.	118 119 120 121
(3) In establishing reimbursement rates under division (E) (1) (a) of this section, the director may establish different reimbursement rates based on any of the following:	122 123 124
(a) Geographic location of the provider;	125
(b) Type of care provided;	126
(c) Age of the child served;	127
(d) Special needs of the child served;	128
(e) Whether the expanded hours of service are provided;	129
(f) Whether weekend service is provided;	130
(g) Whether the provider has exceeded the minimum requirements of state statutes and rules governing child care;	131 132

(h) Any other factors the director considers appropriate. 133

**Sec. 5104.34.** (A) (1) Each county department of job and 134  
family services shall implement procedures for making 135  
determinations of eligibility for publicly funded child care. 136  
Under those procedures, the eligibility determination for each 137  
applicant shall be made no later than thirty calendar days from 138  
the date the county department receives a completed application 139  
for publicly funded child care. Each applicant shall be notified 140  
promptly of the results of the eligibility determination. An 141  
applicant aggrieved by a decision or delay in making an 142  
eligibility determination may appeal the decision or delay to 143  
the department of job and family services in accordance with 144  
section 5101.35 of the Revised Code. The due process rights of 145  
applicants shall be protected. 146

To the extent permitted by federal law, the county 147  
department may make all determinations of eligibility for 148  
publicly funded child care, may contract with child care 149  
providers or child care resource and referral service 150  
organizations for the providers or resource and referral service 151  
organizations to make all or any part of the determinations, and 152  
may contract with child care providers or child care resource 153  
and referral service organizations for the providers or resource 154  
and referral service organizations to collect specified 155  
information for use by the county department in making 156  
determinations. If a county department contracts with a child 157  
care provider or a child care resource and referral service 158  
organization for eligibility determinations or for the 159  
collection of information, the contract shall require the 160  
provider or resource and referral service organization to make 161  
each eligibility determination no later than thirty calendar 162  
days from the date the provider or resource and referral 163

organization receives a completed application that is the basis 164  
of the determination and to collect and transmit all necessary 165  
information to the county department within a period of time 166  
that enables the county department to make each eligibility 167  
determination no later than thirty days after the filing of the 168  
application that is the basis of the determination. 169

The county department may station employees of the 170  
department in various locations throughout the county to collect 171  
information relevant to applications for publicly funded child 172  
care and to make eligibility determinations. The county 173  
department, child care provider, and child care resource and 174  
referral service organization shall make each determination of 175  
eligibility for publicly funded child care no later than thirty 176  
days after the filing of the application that is the basis of 177  
the determination, shall make each determination in accordance 178  
with any relevant rules adopted pursuant to section 5104.38 of 179  
the Revised Code, and shall notify promptly each applicant for 180  
publicly funded child care of the results of the determination 181  
of the applicant's eligibility. 182

The director of job and family services shall adopt rules 183  
in accordance with Chapter 119. of the Revised Code for 184  
monitoring the eligibility determination process. In accordance 185  
with those rules, the state department shall monitor eligibility 186  
determinations made by county departments of job and family 187  
services and shall direct any entity that is not in compliance 188  
with this division or any rule adopted under this division to 189  
implement corrective action specified by the department. 190

(2) (a) All eligibility determinations for publicly funded 191  
child care shall be made in accordance with rules adopted 192  
pursuant to division (A) of section 5104.38 of the Revised Code. 193

Except as otherwise provided in this section, all of the 194  
following apply: 195

(i) Publicly funded child care may be provided only to 196  
eligible infants, toddlers, preschool-age children, school-age 197  
children under age thirteen, or children receiving special needs 198  
child care. 199

(ii) For an applicant to be eligible for publicly funded 200  
child care, the caretaker parent must be employed or 201  
participating in a program of education or training for an 202  
amount of time reasonably related to the time that the parent's 203  
children are receiving publicly funded child care. This 204  
restriction does not apply to families whose children are 205  
eligible for protective child care. 206

(iii) The eligibility period for publicly funded child 207  
care shall be at least twelve months. 208

(b) In accordance with rules adopted under division (B) of 209  
section 5104.38 of the Revised Code, an applicant may receive 210  
publicly funded child care while the county department 211  
determines eligibility. An applicant may receive publicly funded 212  
child care while a county department determines eligibility only 213  
once during a twelve-month period. If the county department 214  
determines that an applicant is not eligible for publicly funded 215  
child care, the child care provider shall be paid for providing 216  
publicly funded child care for up to five days after that 217  
determination if the county department received a completed 218  
application with all required documentation. A program may 219  
appeal a denial of payment under this division. 220

(c) If a caretaker parent who has been determined eligible 221  
to receive publicly funded child care no longer meets the 222



requirements of division (A) (2) (a) (ii) of this section, the 223  
caretaker parent may continue to receive publicly funded child 224  
care for a period of at least three but not more than four 225  
months not to extend beyond the caretaker parent's eligibility 226  
period. 227

(d) If a child turns thirteen, or if a child receiving 228  
special needs child care turns eighteen, during the eligibility 229  
period, the caretaker parent may continue to receive publicly 230  
funded child care until the end of that eligibility period. 231

Subject to available funds, and except as provided in 232  
section 5104.342 of the Revised Code, the department of job and 233  
family services shall allow a family to receive publicly funded 234  
child care unless the family's income exceeds the maximum income 235  
eligibility limit. Initial and continued eligibility for 236  
publicly funded child care is subject to available funds unless 237  
the family is receiving child care pursuant to division (A) (1), 238  
(2), (3), or (4) of section 5104.30 of the Revised Code. If the 239  
department must limit eligibility due to lack of available 240  
funds, it shall give first priority for publicly funded child 241  
care to an assistance group whose income is not more than the 242  
maximum income eligibility limit that received transitional 243  
child care in the previous month but is no longer eligible 244  
because the eligibility period has expired. Such an assistance 245  
group shall continue to receive priority for publicly funded 246  
child care until its income exceeds the maximum income 247  
eligibility limit. 248

(3) An assistance group that ceases to participate in the 249  
Ohio works first program established under Chapter 5107. of the 250  
Revised Code is eligible for transitional child care at any time 251  
during the immediately following twelve-month period that both 252

of the following apply:	253
(a) The assistance group requires child care due to employment;	254 255
(b) The assistance group's income is not more than one hundred fifty per cent of the federal poverty line.	256 257
An assistance group ineligible to participate in the Ohio works first program pursuant to section 5101.83 or section 5107.16 of the Revised Code is not eligible for transitional child care.	258 259 260 261
(B) To the extent permitted by federal law, the department of job and family services may require a caretaker parent determined to be eligible for publicly funded child care to pay a fee according to the schedule of fees established in rules adopted under section 5104.38 of the Revised Code. The department shall make protective child care services and homeless child care services available to children without regard to the income or assets of the caretaker parent of the child.	262 263 264 265 266 267 268 269 270
(C) A caretaker parent receiving publicly funded child care shall report to the entity that determined eligibility any changes in status with respect to employment or participation in a program of education or training not later than ten calendar days after the change occurs.	271 272 273 274 275
(D) If the department of job and family services determines that available resources are not sufficient to provide publicly funded child care to all eligible families who request it, the department may establish a waiting list. The department may establish separate waiting lists within the waiting list based on income.	276 277 278 279 280 281

(E) A caretaker parent shall not receive publicly funded 282  
child care from more than one child care provider per child 283  
during a week, unless a county department grants the family an 284  
exemption for one of the following reasons: 285

(1) The child needs additional care during non-traditional 286  
hours; 287

(2) The child needs to change providers in the middle of 288  
the week and the hours of care provided by the providers do not 289  
overlap; 290

(3) The child's provider is closed on scheduled school 291  
days off or on calamity days. 292

(F) As used in this section, "maximum income eligibility 293  
limit" means the amount of income specified in rules adopted 294  
under division (A) of section 5104.38 of the Revised Code. 295

Sec. 5104.342. (A) As used in this section and section 296  
5104.30 of the Revised Code, "child care staff member" does not 297  
include an employee of an approved child day camp or an 298  
administrator, authorized representative, or owner. 299

(B) When determining eligibility for publicly funded child 300  
care as described in section 5104.34 of the Revised Code, a 301  
county department of job and family services shall exclude all 302  
of a family's income from that determination if an applicant for 303  
publicly funded child care demonstrates to the county department 304  
that the child's caretaker parent is a child care staff member. 305  
Such an applicant shall otherwise meet the requirements of 306  
division (A) (2) (a) of section 5104.34 of the Revised Code. 307

**Section 2.** That existing sections 5104.30 and 5104.34 of 308  
the Revised Code are hereby repealed. 309

**Section 3.** That the versions of sections 5104.30 and 310  
5104.34 of the Revised Code that are scheduled to take effect 311  
January 1, 2025, be amended to read as follows: 312

**Sec. 5104.30.** (A) The department of children and youth is 313  
hereby designated as the state agency responsible for 314  
administration and coordination of federal and state funding for 315  
publicly funded child care in this state. Publicly funded child 316  
care shall be provided to the following: 317

(1) Recipients of transitional child care as provided 318  
under section 5104.34 of the Revised Code; 319

(2) Participants in the Ohio works first program 320  
established under Chapter 5107. of the Revised Code; 321

(3) Individuals who would be participating in the Ohio 322  
works first program if not for a sanction under section 5107.16 323  
of the Revised Code and who continue to participate in a work 324  
activity, developmental activity, or alternative work activity 325  
pursuant to an assignment under section 5107.42 of the Revised 326  
Code; 327

(4) A family receiving publicly funded child care on 328  
October 1, 1997, until the family's income reaches one hundred 329  
fifty per cent of the federal poverty line; 330

(5) Subject to available funds, other individuals 331  
determined eligible in accordance with rules adopted under 332  
section 5104.38 of the Revised Code; 333

(6) Subject to available funds, child care staff members 334  
as provided under section 5104.34 of the Revised Code. 335

The department shall apply to the United States department 336  
of health and human services for authority to operate a 337

coordinated program for publicly funded child care, if the 338  
director of children and youth determines that the application 339  
is necessary. For purposes of this section, the department of 340  
children and youth may enter into agreements with other state 341  
agencies that are involved in regulation or funding of child 342  
care. The department shall consider the special needs of migrant 343  
workers when it administers and coordinates publicly funded 344  
child care and shall develop appropriate procedures for 345  
accommodating the needs of migrant workers for publicly funded 346  
child care. 347

(B) The department of children and youth shall distribute 348  
state and federal funds for publicly funded child care, 349  
including appropriations of state funds for publicly funded 350  
child care and appropriations of federal funds available under 351  
the child care block grant act, Title IV-A, and Title XX. The 352  
department may use any state funds appropriated for publicly 353  
funded child care as the state share required to match any 354  
federal funds appropriated for publicly funded child care. 355

(C) In the use of federal funds available under the child 356  
care block grant act, all of the following apply: 357

(1) The department may use the federal funds to hire staff 358  
to prepare any rules required under this chapter and to 359  
administer and coordinate federal and state funding for publicly 360  
funded child care. 361

(2) Not more than five per cent of the aggregate amount of 362  
the federal funds received for a fiscal year may be expended for 363  
administrative costs. 364

(3) The department shall allocate and use at least four 365  
per cent of the federal funds for the following: 366

(a) Activities designed to provide comprehensive consumer education to parents and the public;	367 368
(b) Activities that increase parental choice;	369
(c) Activities, including child care resource and referral services, designed to improve the quality, and increase the supply, of child care;	370 371 372
(d) Establishing the step up to quality program pursuant to section 5104.29 of the Revised Code.	373 374
(4) The department shall ensure that the federal funds will be used only to supplement, and will not be used to supplant, federal, state, and local funds available on the effective date of the child care block grant act for publicly funded child care and related programs. If authorized by rules adopted by the department pursuant to section 5104.42 of the Revised Code, county departments of job and family services may purchase child care from funds obtained through any other means.	375 376 377 378 379 380 381 382
(D) The department shall encourage the development of suitable child care throughout the state, especially in areas with high concentrations of recipients of public assistance and families with low incomes. The department shall encourage the development of suitable child care designed to accommodate the special needs of migrant workers. On request, the department, through its employees or contracts with state or community child care resource and referral service organizations, shall provide consultation to groups and individuals interested in developing child care. The department of children and youth may enter into interagency agreements with the department of education and workforce, the chancellor of higher education, the department of development, and other state agencies and entities whenever the	383 384 385 386 387 388 389 390 391 392 393 394 395

cooperative efforts of the other state agencies and entities are 396  
necessary for the department of children and youth to fulfill 397  
its duties and responsibilities under this chapter. 398

The department shall develop and maintain a registry of 399  
persons providing child care. The director shall adopt rules in 400  
accordance with Chapter 119. of the Revised Code establishing 401  
procedures and requirements for the registry's administration. 402

(E) (1) The director shall adopt rules in accordance with 403  
Chapter 119. of the Revised Code establishing both of the 404  
following: 405

(a) Reimbursement rates for providers of publicly funded 406  
child care not later than the first day of July in each odd- 407  
numbered year; 408

(b) A procedure for reimbursing and paying providers of 409  
publicly funded child care. 410

(2) In establishing reimbursement rates under division (E) 411  
(1) (a) of this section, the director shall do all of the 412  
following: 413

(a) Use the information obtained in accordance with 45 414  
C.F.R. 98.45; 415

(b) Establish an enhanced reimbursement rate for providers 416  
who provide child care for caretaker parents who work 417  
nontraditional hours; 418

(c) With regard to the step up to quality program 419  
established pursuant to section 5104.29 of the Revised Code, 420  
establish enhanced reimbursement rates for child care providers 421  
that participate in the program. 422

(3) In establishing reimbursement rates under division (E) 423

(1) (a) of this section, the director may establish different reimbursement rates based on any of the following:	424 425
(a) Geographic location of the provider;	426
(b) Type of care provided;	427
(c) Age of the child served;	428
(d) Special needs of the child served;	429
(e) Whether the expanded hours of service are provided;	430
(f) Whether weekend service is provided;	431
(g) Whether the provider has exceeded the minimum requirements of state statutes and rules governing child care;	432 433
(h) Any other factors the director considers appropriate.	434
<b>Sec. 5104.34.</b> (A) (1) Each county department of job and family services shall implement procedures for making determinations of eligibility for publicly funded child care. Under those procedures, the eligibility determination for each applicant shall be made no later than thirty calendar days from the date the county department receives a completed application for publicly funded child care. Each applicant shall be notified promptly of the results of the eligibility determination. An applicant aggrieved by a decision or delay in making an eligibility determination may appeal the decision or delay to the department of children and youth in accordance with section 5101.35 of the Revised Code. The due process rights of applicants shall be protected.	435 436 437 438 439 440 441 442 443 444 445 446 447
To the extent permitted by federal law, the county department may make all determinations of eligibility for publicly funded child care, may contract with child care	448 449 450



providers or child care resource and referral service 451  
organizations for the providers or resource and referral service 452  
organizations to make all or any part of the determinations, and 453  
may contract with child care providers or child care resource 454  
and referral service organizations for the providers or resource 455  
and referral service organizations to collect specified 456  
information for use by the county department in making 457  
determinations. If a county department contracts with a child 458  
care provider or a child care resource and referral service 459  
organization for eligibility determinations or for the 460  
collection of information, the contract shall require the 461  
provider or resource and referral service organization to make 462  
each eligibility determination no later than thirty calendar 463  
days from the date the provider or resource and referral 464  
organization receives a completed application that is the basis 465  
of the determination and to collect and transmit all necessary 466  
information to the county department within a period of time 467  
that enables the county department to make each eligibility 468  
determination no later than thirty days after the filing of the 469  
application that is the basis of the determination. 470

The county department may station employees of the 471  
department in various locations throughout the county to collect 472  
information relevant to applications for publicly funded child 473  
care and to make eligibility determinations. The county 474  
department, child care provider, and child care resource and 475  
referral service organization shall make each determination of 476  
eligibility for publicly funded child care no later than thirty 477  
days after the filing of the application that is the basis of 478  
the determination, shall make each determination in accordance 479  
with any relevant rules adopted pursuant to section 5104.38 of 480  
the Revised Code, and shall notify promptly each applicant for 481

publicly funded child care of the results of the determination 482  
of the applicant's eligibility. 483

The director of children and youth shall adopt rules in 484  
accordance with Chapter 119. of the Revised Code for monitoring 485  
the eligibility determination process. In accordance with those 486  
rules, the state department shall monitor eligibility 487  
determinations made by county departments of job and family 488  
services and shall direct any entity that is not in compliance 489  
with this division or any rule adopted under this division to 490  
implement corrective action specified by the department. 491

(2) (a) All eligibility determinations for publicly funded 492  
child care shall be made in accordance with rules adopted 493  
pursuant to division (A) of section 5104.38 of the Revised Code. 494  
Except as otherwise provided in this section, all of the 495  
following apply: 496

(i) Publicly funded child care may be provided only to 497  
eligible infants, toddlers, preschool-age children, school-age 498  
children under age thirteen, or children receiving special needs 499  
child care. 500

(ii) For an applicant to be eligible for publicly funded 501  
child care, the caretaker parent must be employed or 502  
participating in a program of education or training for an 503  
amount of time reasonably related to the time that the parent's 504  
children are receiving publicly funded child care. This 505  
restriction does not apply to families whose children are 506  
eligible for protective child care. 507

(iii) The eligibility period for publicly funded child 508  
care shall be at least twelve months. 509

(b) In accordance with rules adopted under division (B) of 510

section 5104.38 of the Revised Code, an applicant may receive 511  
publicly funded child care while the county department 512  
determines eligibility. An applicant may receive publicly funded 513  
child care while a county department determines eligibility only 514  
once during a twelve-month period. If the county department 515  
determines that an applicant is not eligible for publicly funded 516  
child care, the child care provider shall be paid for providing 517  
publicly funded child care for up to five days after that 518  
determination if the county department received a completed 519  
application with all required documentation. A program may 520  
appeal a denial of payment under this division. 521

(c) If a caretaker parent who has been determined eligible 522  
to receive publicly funded child care no longer meets the 523  
requirements of division (A) (2) (a) (ii) of this section, the 524  
caretaker parent may continue to receive publicly funded child 525  
care for a period of at least three but not more than four 526  
months not to extend beyond the caretaker parent's eligibility 527  
period. 528

(d) If a child turns thirteen, or if a child receiving 529  
special needs child care turns eighteen, during the eligibility 530  
period, the caretaker parent may continue to receive publicly 531  
funded child care until the end of that eligibility period. 532

Subject to available funds, and except as provided in 533  
section 5104.342 of the Revised Code, the department of children 534  
and youth shall allow a family to receive publicly funded child 535  
care unless the family's income exceeds the maximum income 536  
eligibility limit. Initial and continued eligibility for 537  
publicly funded child care is subject to available funds unless 538  
the family is receiving child care pursuant to division (A) (1), 539  
(2), (3), or (4) of section 5104.30 of the Revised Code. If the 540

department must limit eligibility due to lack of available 541  
funds, it shall give first priority for publicly funded child 542  
care to an assistance group whose income is not more than the 543  
maximum income eligibility limit that received transitional 544  
child care in the previous month but is no longer eligible 545  
because the eligibility period has expired. Such an assistance 546  
group shall continue to receive priority for publicly funded 547  
child care until its income exceeds the maximum income 548  
eligibility limit. 549

(3) An assistance group that ceases to participate in the 550  
Ohio works first program established under Chapter 5107. of the 551  
Revised Code is eligible for transitional child care at any time 552  
during the immediately following twelve-month period that both 553  
of the following apply: 554

(a) The assistance group requires child care due to 555  
employment; 556

(b) The assistance group's income is not more than one 557  
hundred fifty per cent of the federal poverty line. 558

An assistance group ineligible to participate in the Ohio 559  
works first program pursuant to section 5101.83 or section 560  
5107.16 of the Revised Code is not eligible for transitional 561  
child care. 562

(B) To the extent permitted by federal law, the department 563  
of children and youth may require a caretaker parent determined 564  
to be eligible for publicly funded child care to pay a fee 565  
according to the schedule of fees established in rules adopted 566  
under section 5104.38 of the Revised Code. The department shall 567  
make protective child care services and homeless child care 568  
services available to children without regard to the income or 569

assets of the caretaker parent of the child.	570
(C) A caretaker parent receiving publicly funded child care shall report to the entity that determined eligibility any changes in status with respect to employment or participation in a program of education or training not later than ten calendar days after the change occurs.	571 572 573 574 575
(D) If the department of children and youth determines that available resources are not sufficient to provide publicly funded child care to all eligible families who request it, the department may establish a waiting list. The department may establish separate waiting lists within the waiting list based on income.	576 577 578 579 580 581
(E) A caretaker parent shall not receive publicly funded child care from more than one child care provider per child during a week, unless a county department grants the family an exemption for one of the following reasons:	582 583 584 585
(1) The child needs additional care during non-traditional hours;	586 587
(2) The child needs to change providers in the middle of the week and the hours of care provided by the providers do not overlap;	588 589 590
(3) The child's provider is closed on scheduled school days off or on calamity days.	591 592
(F) As used in this section, "maximum income eligibility limit" means the amount of income specified in rules adopted under division (A) of section 5104.38 of the Revised Code.	593 594 595
<b>Section 4.</b> That the existing versions of sections 5104.30 and 5104.34 of the Revised Code that are scheduled to take	596 597

effect January 1, 2025, are hereby repealed. 598

**Section 5.** Sections 3 and 4 of this act take effect 599  
January 1, 2025, or on the effective date of this section, 600  
whichever is later. 601

**Section 6.** On the effective date of this section, or as 602  
soon as possible thereafter, the Director of Children and Youth 603  
shall certify to the Director of Budget and Management the 604  
amount necessary to provide publicly funded child care benefits 605  
during fiscal year 2025 to child care staff members in 606  
accordance with section 5104.342 of the Revised Code. The amount 607  
certified is hereby appropriated to appropriation item 830400, 608  
Child Care State/Maintenance of Effort. 609

Within the limits set forth in this act, the Director of 610  
Budget and Management shall establish accounts indicating the 611  
source and amount of funds for each appropriation made in this 612  
act, and shall determine the manner in which appropriation 613  
accounts shall be maintained. Expenditures from operating 614  
appropriations contained in this act shall be accounted for as 615  
though made in, and are subject to all applicable provisions of, 616  
H.B. 33 of the 135th General Assembly. 617