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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 194 Session of  
2021

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INTRODUCED BY HANBIDGE, HILL-EVANS, KINSEY, DALEY, KENYATTA,  
SCHLOSSBERG, D. WILLIAMS, GUENST, SANCHEZ, FREEMAN, SCHWEYER,  
HOHENSTEIN, GALLOWAY, FRANKEL, CIRESI, HOWARD, WEBSTER, SIMS,  
MALAGARI, ROZZI AND DEASY, MAY 7, 2021

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MAY 7, 2021

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AN ACT

1 Establishing the COVID-19 Child-care Grant Program; providing  
2 for duties of the Department of Community and Economic  
3 Development; and making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the COVID-19  
8 Child-care Grant Program Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Adjusted monthly family income." Gross countable family  
14 income per month, minus allowable deductions.

15 "Annual family income." The adjusted monthly family income,  
16 multiplied by 12 months.

17 "Caretaker." An individual who has legal custody of a child,

1 a foster parent of a child, a grandparent of a child or an aunt  
2 or uncle of a child who lives with and exercises care and  
3 control of the child.

4 "Child care." Care in lieu of parental care for part of a  
5 24-hour day by an eligible provider, as defined in 55 Pa. Code §  
6 3041.13(a) (relating to parent choice), or a relative of the  
7 child who provides the care for the child if the relative  
8 complies with the applicable State requirements for providing  
9 the care.

10 "COVID-19." The coronavirus disease 2019, an infectious  
11 disease caused by severe acute respiratory syndrome coronavirus  
12 2 that was first identified during December 2019 in Wuhan,  
13 China.

14 "Department." The Department of Community and Economic  
15 Development of the Commonwealth.

16 "Family." A child for whom subsidized child care is  
17 requested and any of the following individuals who live with the  
18 child in the same household:

19 (1) A parent of the child.

20 (2) A caretaker and the caretaker's spouse.

21 (3) A biological, adoptive or foster child or stepchild  
22 of the parent or caretaker who is under 18 years of age and  
23 not emancipated by marriage or by the court.

24 (4) An unrelated child under the care and control of the  
25 parent or caretaker who is under 18 years of age and not  
26 emancipated by marriage or by the court.

27 (5) A child who is:

28 (i) 18 years of age or older but under 22 years of  
29 age;

30 (ii) enrolled in a high school, general educational

1 development program or postsecondary program leading to a  
2 degree, diploma or certificate; and

3 (iii) wholly or partially dependent upon the income  
4 of the parent or caretaker or spouse of the parent or  
5 caretaker.

6 "FPIG." The Federal poverty income guidelines, which are the  
7 income levels published annually in the Federal Register by the  
8 United States Department of Health and Human Services.

9 "Income." Includes the following:

10 (1) Earned income, including gross wages from work, cash  
11 and in-kind payments received by an individual in exchange  
12 for services and income from self-employment.

13 (2) Unearned income, including cash and contributions  
14 received by an individual for which the individual does not  
15 provide a service.

16 (3) Unearned benefits received periodically by an  
17 individual, such as unemployment compensation, workers'  
18 compensation or retirement benefits.

19 "Parent." A biological or adoptive mother or father,  
20 stepmother or stepfather of a child who exercises care and  
21 control of the child for whom subsidy is requested.

22 "Proclamation of disaster emergency." The proclamation of  
23 disaster emergency issued by the Governor on March 6, 2020,  
24 published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of  
25 the state of disaster emergency.

26 "Program." The COVID-19 Child-care Grant Program established  
27 under section 3.

28 Section 3. COVID-19 Child-care Grant Program.

29 (a) Establishment.--The COVID-19 Child-care Grant Program is  
30 established within the department.

1 (b) Duties of department.--The department shall provide  
2 grants under the program in accordance with this act to  
3 reimburse parents or caretakers for child-care expenses incurred  
4 as a result of COVID-19 as identified in the proclamation of  
5 disaster emergency.

6 Section 4. Grant application forms.

7 (a) Development.--The department shall develop a grant  
8 application form for parents or caretakers to apply for a grant  
9 under the program.

10 (b) Contents.--At minimum, the grant application form shall  
11 include the following information:

12 (1) The name, address, contact information and annual  
13 family income of the applicant.

14 (2) The name, age and child-care provider for each child  
15 of the applicant.

16 (3) The current cost of child care required and paid by  
17 the applicant.

18 (4) The amount of grant money requested under the  
19 program.

20 (5) Any other information that the department deems  
21 necessary and appropriate.

22 (c) Submission.--A parent or caretaker must submit the grant  
23 application form required under this section to the department  
24 in the manner prescribed to be eligible for a grant under the  
25 program.

26 Section 5. Eligibility.

27 Grant applications shall be open to all parents or caretakers  
28 with annual family income greater than 200% of the FPIG but less  
29 than 400% of the FPIG.

30 Section 6. Applicability.

1 This act shall apply to:

2 (1) Child care costs for a child from the birth of the  
3 child until the day prior to the date of the child's 14th  
4 birthday.

5 (2) At the discretion of the department, child-care  
6 costs for a child with a disability through 18 years of age.

7 Section 7. Award of grants.

8 (a) Review of grants.--Not later than 20 days after receipt  
9 of the grant application form under section 4, the department  
10 shall review the grant application form and determine whether to  
11 award a grant to the applicant under the program and, if so, the  
12 amount of grant money to be awarded.

13 (b) Consideration.--In determining the amount of grant money  
14 to be awarded to the applicant by the department, priority shall  
15 be given to applicants with gross annual family income greater  
16 than 200% of the FPIG but less than 300% of the FPIG.

17 (c) Notice.--After conducting a review of the grant  
18 application under subsection (a), the department shall provide  
19 written notice to the applicant of the award or denial of the  
20 grant under the program. The following shall apply:

21 (1) Notice of the award of a grant under the program  
22 shall include the amount of the grant money awarded and all  
23 conditions or restrictions on the use of the grant money.

24 (2) Notice of the denial of all or part of the grant  
25 money requested under the program on the grant application  
26 under subsection (a) shall include the reasons for full or  
27 partial denial.

28 Section 8. Guidelines.

29 The department may promulgate guidelines for the  
30 implementation and administration of this act.

1 Section 9. Public notice.

2 (a) Availability of grants.--The department shall provide  
3 information regarding the availability of grants under the  
4 program on the publicly accessible Internet website of the  
5 department.

6 (b) Amount of grant money awarded.--Following the  
7 termination or expiration of the proclamation of disaster  
8 emergency, the department shall post the amount of grant money  
9 awarded on the publicly accessible Internet website of the  
10 department.

11 Section 10. Limitation on award of grants.

12 Subject to the availability of funding, a grant to an  
13 applicant under the program shall not exceed \$750 per month, per  
14 child.

15 Section 11. Appropriation.

16 The sum of \$50,000,000 is appropriated to the department on a  
17 continuing basis from the COVID-19 Response Restricted Account  
18 for the purposes of this act.

19 Section 12. Expiration.

20 (a) Notice.--Upon the expiration or termination of the  
21 proclamation of disaster emergency, the department shall  
22 transmit notice of the expiration or termination to the  
23 Legislative Reference Bureau for publication in the Pennsylvania  
24 Bulletin.

25 (b) Authority.--The authority of the department to award  
26 grants under the program shall expire three months after the  
27 publication of the notice required in subsection (a).

28 Section 13. Effective date.

29 This act shall take effect in 30 days.