

113TH CONGRESS  
1ST SESSION

# H. R. 1925

To amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks, inspections, and training of child care providers.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2013

Mr. CARSON of Indiana (for himself, Ms. NORTON, Ms. WILSON of Florida, Mr. RANGEL, Mr. PAYNE, Ms. MOORE, and Ms. BROWN of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

---

## A BILL

To amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks, inspections, and training of child care providers.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Care Criminal  
5 Background Check Act of 2013”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to assist States in improv-  
8 ing the overall quality of child care services in the State

1 by requiring national criminal background checks of child  
2 care providers that are licensed by the State or that re-  
3 ceive funds under the Child Care and Development Block  
4 Grant Act of 1990.

5 **SEC. 3. AMENDMENTS.**

6 (a) STATE PLAN.—Section 658E(c)(2) of the Child  
7 Care and Development Block Grant Act of 1990 (42  
8 U.S.C. 9858c(c)(2)) is amended by adding at the end the  
9 following:

10 “(I) CRIMINAL BACKGROUND CHECK.—

11 Certify that the State will—

12 “(i) require each eligible child care  
13 provider (excluding an eligible child care  
14 provider described in section 658P(5)(B))  
15 that is licensed by the State or receives  
16 funds provided under this subchapter—

17 “(I) to obtain from the State a  
18 comprehensive criminal background  
19 check of—

20 “(aa) each individual who  
21 provides child care services;

22 “(bb) each applicant selected  
23 for employment before providing  
24 such services; and

1           “(cc) each family child care  
2 provider who provides or applies  
3 to provide such services; and

4           “(II) to refuse to employ, or con-  
5 tinue to employ, an individual to pro-  
6 vide such services—

7           “(aa) if such individual was  
8 convicted of—

9           “(AA) a crime of vio-  
10 lence (as defined in section  
11 20101 of subtitle A of title  
12 II of the Violent Crime Con-  
13 trol and Law Enforcement  
14 Act of 1994 (42 U.S.C.  
15 13701)); or

16           “(BB) a crime against  
17 a child for which the penalty  
18 exceeds imprisonment for a  
19 term exceeding 1 year;

20           “(bb) to an eligible child  
21 without the supervision of an em-  
22 ployee whose criminal back-  
23 ground check satisfies the re-  
24 quirements of the subparagraph,  
25 pending receipt of such a crimi-

1                   nal background check of such in-  
2                   dividual; and

3                   “(cc) to an eligible child  
4                   with the supervision of an em-  
5                   ployee whose criminal back-  
6                   ground check satisfies the re-  
7                   quirements of the subparagraph  
8                   and for a period exceeding 90  
9                   days, pending receipt of such a  
10                  criminal background check of  
11                  such individual; and

12                  “(ii) carry out at the request of an eli-  
13                  gible child care provider, as soon as prac-  
14                  ticable, a comprehensive criminal back-  
15                  ground check (at the State option for a fee  
16                  not to exceed the actual cost to the State)  
17                  of each employee of, and each applicant for  
18                  employment by, a child care provider that  
19                  is licensed by the State or receives funds  
20                  provided under this subchapter by the  
21                  State, and make the results of such check  
22                  available to such provider and to such em-  
23                  ployee or applicant.

24                  At the request of a State, the Secretary may  
25                  waive for 1 fiscal year the application of this

1           subparagraph to the State if the State dem-  
2           onstrates a good faith effort to comply with the  
3           requirements specified in this subparagraph and  
4           its inability to so comply.

5           “(J) INSPECTIONS.—The State shall cer-  
6           tify that each eligible child care provider (ex-  
7           cluding an eligible child care provider described  
8           in section 658P(5)(B)) that is licensed by the  
9           State will be inspected not less frequently than  
10          at 3-month intervals.

11          “(K) TRAINING.—The State shall certify  
12          that each eligible child care provider (excluding  
13          an eligible child care provider described in sec-  
14          tion 658P(5)(B)) that receives funds provided  
15          under this subchapter will receive not less  
16          than—

17                  “(i) 40 hours of training provided by  
18                  an entity recognized by the State; and

19                  “(ii) annually 24 hours of training  
20                  that includes CPR, first aid, recognizing  
21                  child abuse, basic safety and health, and  
22                  child behavior and development.”.

23          (b) ENFORCEMENT.—Section 658I(b)(2) of the Child  
24          Care and Development Block Grant Act of 1990 (42

1 U.S.C. 9858g(i)(b)(2)) is amended by adding at the end  
2 the following:

3           “If a State fails to comply substantially with  
4           the requirements specified in section  
5           658e(c)(2)(I), the Secretary shall reduce by 10  
6           percent the State allotment for the fiscal year  
7           following the fiscal year with respect to which  
8           noncompliance is found.”.

9 **SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

10           This Act and the amendments made by this Act shall  
11 take effect 2 years after the date of the enactment of this  
12 Act.

○