

HOUSE BILL 555

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5lr1611

By: **Delegates Taveras, Charkoudian, Lehman, Martinez, Pena–Melnik, and Vogel**
Introduced and read first time: January 22, 2025
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Early Childhood Education – Child Care Scholarship Program – Eligibility**

3 FOR the purpose of specifying eligibility for the Child Care Scholarship Program, including
4 that a child shall reside in the State, be under a certain age, and be in a household
5 that meets certain need and income requirements; prohibiting the State Department
6 of Education from considering the immigration status of a parent, guardian, or child
7 when determining eligibility for Program benefits; and generally relating to
8 eligibility for the Child Care Scholarship Program.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 9.5–113
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2024 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Education**

17 9.5–113.

18 (a) In this section, “Program” means the Child Care Scholarship Program.

19 (b) **(1)** [The Department shall administer the Program in accordance with
20 federal law] **TO BE ELIGIBLE FOR THE PROGRAM, A CHILD SHALL:**

21 **(I) RESIDE IN THE STATE;**

22 **(II) BE:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. **UNDER THE AGE OF 13 YEARS; OR**

2 2. **UNDER THE AGE OF 19 YEARS, IF THE CHILD HAS A**
3 **DISABILITY VERIFIED BY THE DEPARTMENT;**

4 (III) **BE IN A HOUSEHOLD THAT MEETS THE NEED**
5 **REQUIREMENTS ESTABLISHED BY THE DEPARTMENT;**

6 (IV) **BE IN A HOUSEHOLD THAT MEETS THE INCOME**
7 **REQUIREMENTS ESTABLISHED BY THE DEPARTMENT; AND**

8 (V) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, MEET**
9 **ANY OTHER PROGRAM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.**

10 (2) **THE DEPARTMENT MAY NOT CONSIDER IMMIGRATION STATUS OF**
11 **A PARENT, GUARDIAN, OR CHILD WHEN DETERMINING ELIGIBILITY FOR PROGRAM**
12 **BENEFITS.**

13 (c) (1) The Department shall establish a process that meets the requirements
14 of this subsection for granting presumptive eligibility for a subsidy under the Program.

15 (2) An individual shall attest that the individual meets the eligibility
16 requirements for a subsidy under the Program by completing and electronically submitting
17 a form provided by the Department, including a statement of the individual's estimated
18 annual household income.

19 (3) The Department shall provide a subsidy under the Program to an
20 individual who submits a form under paragraph (2) of this subsection for a period:

21 (i) Beginning on the day on which the individual submits the form;
22 and

23 (ii) Ending:

24 1. If the individual does not fill out an application within 15
25 days in accordance with paragraph (4) of this subsection, 60 days after the date on which
26 the individual submits the form under paragraph (2) of this subsection; or

27 2. If the Department determines that the individual does not
28 qualify for a subsidy under the Program after reviewing the individual's application
29 submitted in accordance with paragraph (4) of this subsection, the later of:

30 A. 60 days after the date on which the individual submits the
31 form under paragraph (2) of this subsection; or

1 B. The date on which the Department makes the
2 determination.

3 (4) To continue to receive a subsidy under the Program, an individual who
4 submits a form under paragraph (2) of this subsection shall submit an application for a
5 subsidy under the Program within 15 days after the date on which the individual submits
6 the form under paragraph (2) of this subsection.

7 (5) The Department or the Comptroller may not seek reimbursement or
8 repayment of a subsidy provided to an individual under paragraph (3) of this subsection if
9 the Department determines the individual does not qualify for a subsidy under the Program
10 under paragraph (3)(ii)2 of this subsection, except for suspected fraud.

11 (6) (i) In this paragraph, "Fund" means the Child Care Scholarship
12 Program Presumptive Eligibility Fund.

13 (ii) There is a Child Care Scholarship Program Presumptive
14 Eligibility Fund.

15 (iii) The Department shall administer the Fund.

16 (iv) 1. The Fund is a special, nonlapsing fund that is not subject
17 to § 7-302 of the State Finance and Procurement Article.

18 2. The State Treasurer shall hold the Fund separately, and
19 the Comptroller shall account for the Fund.

20 (v) The Fund consists of:

21 1. Money appropriated in the State budget to the Fund;

22 2. Reimbursements made in accordance with subparagraph
23 (viii) of this paragraph; and

24 3. Any other money from any other source accepted for the
25 benefit of the Fund.

26 (vi) The Fund may be used only to award a subsidy under the
27 Program in an amount sufficient to provide child care for an individual who is granted
28 presumptive eligibility until:

29 1. The individual either fails to complete the full application
30 within 15 days or is found ineligible for a subsidy under the Program and the time period
31 described under paragraph (3) of this subsection lapses; or

32 2. The individual is found eligible to participate in the
33 Program.

(vii) For fiscal year 2024 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation to the Fund at least equal to the amount recommended by the Department in the study conducted in accordance with Section 3 of Chapters 525 and 526 of the Acts of the General Assembly of 2022 that is necessary to provide payment of the subsidy amount for which an individual who is presumptively eligible qualifies.

(viii) If an individual is found eligible to participate in the Program, federal and matching State funds available under the federal Child Care Development Fund shall be used to reimburse the Fund for any expenditures made in accordance with subparagraph (vi) of this paragraph.

(ix) 1. The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

2. Any interest earnings of the Fund shall be credited to the General Fund of the State.

(d) The Department shall award a scholarship under the Program in an amount sufficient to ensure that an individual will not be required to pay a copay for child care if the individual provides proof, as determined by the Department, of:

(1) Participation in one of the following programs:

(i) Federal Special Supplemental Food Program for Women, Infants, and Children;

(ii) Federal Supplemental Nutrition Assistance Program;

(iii) Federal Housing Act Housing Choice Voucher Program;

(iv) Supplemental Security Income benefits; or

(v) Temporary cash assistance; and

(2) Employment or enrollment in an education or career training program.

(e) An individual is eligible to continue to receive a scholarship under the Program:

(1) For at least 90 days in a year if the individual is unemployed and seeking employment; and

(2) If the individual meets any other eligibility criteria determined by the Department.

1 (f) The Department may not require an individual to pursue or receive child
2 support payments or apply for services from a child support agency to be eligible for a
3 scholarship under the Program.

4 (g) (1) The Department shall notify the Comptroller within 10 days after the
5 date on which the Department receives an invoice from a child care provider.

6 (2) The Comptroller shall pay a child care provider within 5 days after the
7 date on which the Comptroller receives a notice under paragraph (1) of this subsection.

8 (h) The Department shall adopt regulations to implement the provisions of this
9 section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2025.