

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 569**

**Representative Smith, K.**

**Cosponsors: Representatives Sobecki, Miller, J., Boggs**

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**A BILL**

To amend section 5104.31 of the Revised Code to 1  
extend the date by which publicly funded child 2  
care providers must be rated through the Step Up 3  
to Quality Program and to declare an emergency. 4

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

**Section 1.** That section 5104.31 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 5104.31.** (A) Publicly funded child care may be 7  
provided only by the following: 8

(1) Any of the following licensed by the department of job 9  
and family services pursuant to section 5104.03 of the Revised 10  
Code or pursuant to rules adopted under section 5104.018 of the 11  
Revised Code: 12

(a) A child day-care center, including a parent 13  
cooperative child day-care center; 14

(b) A type A family day-care home, including a parent 15  
cooperative type A family day-care home; 16

(c) A licensed type B family day-care home. 17

(2) An in-home aide who has been certified by the county department of job and family services pursuant to section 5104.12 of the Revised Code;	18 19 20
(3) A child day camp approved pursuant to section 5104.22 of the Revised Code;	21 22
(4) A licensed preschool program;	23
(5) A licensed school child program;	24
(6) A border state child care provider, except that a border state child care provider may provide publicly funded child care only to an individual who resides in an Ohio county that borders the state in which the provider is located.	25 26 27 28
(B) Publicly funded child day-care may be provided in a child's own home only by an in-home aide.	29 30
(C) (1) Beginning <del>July</del> <u>September 1</u> , 2020, and except as provided in division (C) (2) of this section, a licensed child care program may provide publicly funded child care only if the program is rated through the step up to quality program established pursuant to section 5104.29 of the Revised Code.	31 32 33 34 35
(2) A licensed child care program that is any of the following may provide publicly funded child care without being rated through the step up to quality program:	36 37 38
(a) A program that operates only during the summer and for not more than fifteen consecutive weeks;	39 40
(b) A program that operates only during school breaks;	41
(c) A program that operates only on weekday evenings, weekends, or both;	42 43
(d) A program that holds a provisional license issued	44

under section 5104.03 of the Revised Code; 45

(e) A program that had its step up to quality program 46  
rating removed by the department of job and family services 47  
within the previous twelve months; 48

(f) A program that is the subject of a revocation action 49  
initiated by the department, but the license has not yet been 50  
revoked. 51

**Section 2.** That existing section 5104.31 of the Revised 52  
Code is hereby repealed. 53

**Section 3.** This act is hereby declared to be an emergency 54  
measure necessary for the immediate preservation of the public 55  
peace, health, and safety. The reason for such necessity is 56  
that, as a result of the emergency declared by Executive Order 57  
2020-01D, issued on March 9, 2020, licensed child care programs 58  
that provide publicly funded child care will need additional 59  
time to satisfy the Step Up to Quality Program ratings 60  
requirement described in section 5104.31 of the Revised Code. 61  
Therefore, this act shall go into immediate effect. 62