

I_136_1461

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 2

To enact section 5104.54 of the Revised Code to
establish the Child Care Cred Program and to
make an appropriation.

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

Section 1. That section 5104.54 of the Revised Code be
enacted to read as follows:

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Sec. 5104.54. (A) The child care cred program is created
in the department of children and youth, under which the costs
of child care are shared by participating employees, their
employers, and, subject to available funds, the department. The
distribution of the costs shall be as follows: employees are
responsible for forty per cent; employers are responsible for
forty per cent; and, subject to available funds, the department
is responsible for twenty per cent. The program has all of the
following goals: enabling employers to attract and retain
talent; assisting employees with child care costs; and
sustaining the businesses of child care providers.

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(B) To be eligible to participate in the program, all of
the following apply:

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(1) In the case of an employee, the maximum amount of the 19
family's income shall not exceed four hundred per cent of the 20
federal poverty line and the employee shall reside in this state 21
and have been selected for participation by the employee's 22
employer. 23

(2) In the case of an employer, the employer shall be 24
located in this state and have selected one or more of its 25
employees to participate in the program. 26

(3) In the case of a child care provider, the provider 27
shall either hold a license issued under this chapter or be 28
certified by a county department of job and family services 29
under section 5104.12 of the Revised Code. The department shall 30
not require participation in the step up to quality program in 31
order to be an eligible provider for this program. 32

(C) Each employee and employer seeking to participate in 33
the program shall together submit an application to the 34
department in a manner prescribed by the department. The 35
department shall review each application as soon as practicable 36
after it is received and shall determine if the employee and 37
employer are both eligible to participate. 38

(D) After an employee and employer are both determined 39
eligible and agree to participate in the program, all of the 40
following apply: 41

(1) The employee, with the assistance of the department, 42
shall select a child care provider for the employee's child and 43
shall enroll the child with the provider. An employee may opt to 44
select the employee's existing child care provider so long as 45
that provider is licensed or certified as described in this 46
section. 47

(2) In addition to the employer's share, the employer may 48
agree to contribute some or all of an employee's share of child 49
care costs. 50

(3) As a condition of participation, the department may 51
require the employee, employer, and child care provider to each 52
sign a memorandum of understanding with the department. 53

(4) The department is responsible for coordinating and 54
performing all administrative activities associated with the 55
sharing of child care costs and making payments to child care 56
providers. 57

(E) An eligibility determination made under division (C) 58
of this section remains valid as long as the employee, employer, 59
and child care provider continue to satisfy the eligibility 60
conditions described in division (B) of this section. 61

(F) If the department finds that an employee or employer 62
has committed fraud, misrepresentation, or deception in applying 63
to participate, or in participating, in the program, the 64
employee or employer is permanently ineligible to participate, 65
or continue to participate, in the program. 66

(G) (1) The department may adopt rules as necessary to 67
implement this section. Any rules shall be adopted in accordance 68
with Chapter 119. of the Revised Code. 69

(2) Notwithstanding any provision of section 121.95 of the 70
Revised Code to the contrary, a regulatory restriction contained 71
in a rule adopted under division (G) (1) of this section is not 72
subject to sections 121.95 to 121.953 of the Revised Code. 73

Section 2. All items in this act are hereby appropriated 74
as designated out of any moneys in the state treasury to the 75
credit of the designated fund. For all operating appropriations 76

made in this act, those in the first column are for fiscal year 77
2026 and those in the second column are for fiscal year 2027. 78
The operating appropriations made in this act are in addition to 79
any other operating appropriations made for these fiscal years. 80

Section 3. 81
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A	KID DEPARTMENT OF CHILDREN AND YOUTH			
B	General Revenue Fund			
C	GRF 830414	Child Care Cred Program	\$10,000,000	\$0
D	TOTAL GRF General Revenue Fund		\$10,000,000	\$0
E	TOTAL ALL BUDGET FUND GROUPS		\$10,000,000	\$0

CHILD CARE CRED PROGRAM 83

The foregoing appropriation item 830414, Child Care Cred 84
Program, shall be used for the Child Care Cred Program 85
established in section 5104.54 of the Revised Code. 86

Section 4. Within the limits set forth in this act, the 87
Director of Budget and Management shall establish accounts 88
indicating the source and amount of funds for each appropriation 89
made in this act, and shall determine the manner in which 90
appropriation accounts shall be maintained. Expenditures from 91
operating appropriations contained in this act shall be 92
accounted for as though made in, and are subject to all 93
applicable provisions of, the main operating appropriations act 94
of the 136th General Assembly. 95