

I_136_3000

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 647

To amend sections 5104.01, 5104.30, 5104.32, 1
5104.34, 5104.38, and 5104.53 and to enact 2
sections 5104.321 and 5104.45 of the Revised 3
Code and to amend Sections 423.10, as 4
subsequently amended, and 423.105 of H.B. 96 of 5
the 136th General Assembly to revise the law 6
governing the publicly funded child care 7
program, modify an appropriation for the Child 8
Care Cred Program, and to make an appropriation. 9

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

Section 1. That sections 5104.01, 5104.30, 5104.32, 10
5104.34, 5104.38, and 5104.53 be amended and sections 5104.321 11
and 5104.45 of the Revised Code be enacted to read as follows: 12

Sec. 5104.01. As used in this chapter: 13

(A) "Administrator" means the person responsible for the 14
daily operation of a center, type A home, or approved child day 15
camp. The administrator and the owner may be the same person. 16

(B) "Approved child day camp" means a child day camp 17
approved pursuant to section 5104.22 of the Revised Code. 18



dxhzyevh8mjdjpagjywib8

(C) "Authorized representative" means an individual 19
employed by a center, type A home, or approved child day camp 20
that is owned by a person other than an individual and who is 21
authorized by the owner to do all of the following: 22

(1) Communicate on the owner's behalf; 23

(2) Submit on the owner's behalf applications for 24
licensure or approval; 25

(3) Enter into on the owner's behalf provider agreements 26
for publicly funded child care. 27

(D) "Border state child care provider" means a child care 28
provider that is located in a state bordering Ohio and that is 29
licensed, certified, or otherwise approved by that state to 30
provide child care funded by the child care block grant act. 31

(E) "Career pathways model" means an alternative pathway 32
to meeting the requirements to be a child care staff member or 33
administrator that does both of the following: 34

(1) Uses a framework approved by the director of children 35
and youth to document formal education, training, experience, 36
and specialized credentials and certifications; 37

(2) Allows the child care staff member or administrator to 38
achieve a designation as an early childhood professional level 39
one, two, three, four, five, or six. 40

(F) "Caretaker parent" means the father or mother of a 41
child whose presence in the home is needed as the caretaker of 42
the child, a person who has legal custody of a child and whose 43
presence in the home is needed as the caretaker of the child, a 44
guardian of a child whose presence in the home is needed as the 45
caretaker of the child, and any other person who stands in loco 46

parentis with respect to the child and whose presence in the 47
home is needed as the caretaker of the child. 48

(G) "Chartered nonpublic school" means a school that meets 49
standards for nonpublic schools prescribed by the director of 50
education and workforce for nonpublic schools pursuant to 51
section 3301.07 of the Revised Code. 52

(H) "Child" includes an infant, toddler, preschool-age 53
child, or school-age child. 54

(I) "Child care block grant act" means the "Child Care and 55
Development Block Grant Act of 2014," 128 Stat. 1971 (2014), 42 56
U.S.C. 9858, as amended. 57

(J) "Child day camp" means a program in which only school- 58
age children attend or participate, that operates for no more 59
than twelve hours per day and no more than fifteen weeks during 60
the summer. For purposes of this division, the maximum twelve 61
hours of operation time does not include transportation time 62
from a child's home to a child day camp and from a child day 63
camp to a child's home. 64

(K) "Child care" means all of the following: 65

(1) Administering to the needs of infants, toddlers, 66
preschool-age children, and school-age children outside of 67
school hours; 68

(2) By persons other than their parents, guardians, or 69
custodians; 70

(3) For part of the twenty-four-hour day; 71

(4) In a place other than a child's own home, except that 72
an in-home aide provides child care in the child's own home; 73

(5) By a provider required by this chapter to be licensed 74
or approved by the department of children and youth, certified 75
by a county department of job and family services, or under 76
contract with the department to provide publicly funded child 77
care as described in section 5104.32 of the Revised Code. 78

(L) "Child care center" and "center" mean any place that 79
is not the permanent residence of the licensee or administrator 80
in which child care or publicly funded child care is provided 81
for seven or more children at one time. "Child care center" and 82
"center" do not include any of the following: 83

(1) A place located in and operated by a hospital, as 84
defined in section 3727.01 of the Revised Code, in which the 85
needs of children are administered to, if all the children whose 86
needs are being administered to are monitored under the on-site 87
supervision of a physician licensed under Chapter 4731. of the 88
Revised Code or a registered nurse licensed under Chapter 4723. 89
of the Revised Code, and the services are provided only for 90
children who, in the opinion of the child's parent, guardian, or 91
custodian, are exhibiting symptoms of a communicable disease or 92
other illness or are injured; 93

(2) A child day camp; 94

(3) A place that provides care, if all of the following 95
apply: 96

(a) An organized religious body provides the care; 97

(b) A parent, custodian, or guardian of at least one child 98
receiving care is on the premises and readily accessible at all 99
times; 100

(c) The care is not provided for more than thirty days a 101
year; 102

(d) The care is provided only for preschool-age and school-age children.	103 104
(M) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.	105 106 107 108
(N) "Child care resource and referral services" means all of the following services:	109 110
(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;	111 112 113
(2) Provision of individualized consumer education to families seeking child care;	114 115
(3) Provision of timely referrals of available child care providers to families seeking child care;	116 117
(4) Recruitment of child care providers;	118
(5) Assistance in developing, conducting, and disseminating training for child care professionals and provision of technical assistance to current and potential child care providers, employers, and the community;	119 120 121 122
(6) Collection and analysis of data on the supply of and demand for child care in the community;	123 124
(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;	125 126 127
(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher	128 129

quality for their employees and for the community;	130
(9) Provision of written educational materials to	131
caretaker parents and informational resources to child care	132
providers;	133
(10) Coordination of services among child care resource	134
and referral service organizations to assist in developing and	135
maintaining a statewide system of child care resource and	136
referral services if required by the department of children and	137
youth;	138
(11) Cooperation with the county department of job and	139
family services in encouraging the establishment of parent	140
cooperative child care centers and parent cooperative type A	141
family child care homes.	142
(O) "Child care staff member" means an employee of a child	143
care center, type A family child care home, licensed type B	144
family child care home, or approved child day camp who is	145
primarily responsible for the care and supervision of children.	146
The administrator, authorized representative, or owner may be a	147
child care staff member when not involved in other duties.	148
(P) "Drop-in child care center," "drop-in center," "drop-	149
in type A family child care home," and "drop-in type A home"	150
mean a center or type A home that provides child care or	151
publicly funded child care for children on a temporary,	152
irregular basis.	153
(Q) "Early learning and development program" has the same	154
meaning as "licensed child care program."	155
(R) "Employee" means a person who either:	156
(1) Receives compensation for duties performed in a child	157

care center, type A family child care home, licensed type B	158
family child care home, or approved child day camp;	159
(2) Is assigned specific working hours or duties in a	160
child care center, type A family child care home, licensed type	161
B family child care home, or approved child day camp.	162
(S) "Employer" means a person, firm, institution,	163
organization, or agency that operates a child care center, type	164
A family child care home, licensed type B family child care	165
home, or approved child day camp subject to licensure or	166
approval under this chapter.	167
(T) "Federal poverty line" means the official poverty	168
guideline as revised annually in accordance with section 673(2)	169
of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat.	170
511, 42 U.S.C. 9902, as amended, for a family size equal to the	171
size of the family of the person whose income is being	172
determined.	173
(U) <u>"Fraud against the publicly funded child care program"</u>	174
<u>means an intentional act or omission to deceive for purposes of</u>	175
<u>obtaining or retaining payments under the publicly funded child</u>	176
<u>care program that a provider of publicly funded child care is</u>	177
<u>not entitled to obtain or retain.</u>	178
(V) <u>"Head start program"</u> means a school-readiness program	179
that satisfies all of the following:	180
(1) Is for children from birth to age five who are from	181
low-income families;	182
(2) Receives funds distributed under the "Improving Head	183
Start for School-Readiness Act of 2007," 42 U.S.C. 9831, as	184
amended;	185

(3) Is licensed as a child care program.	186
(V) (W) "Home education" has the same meaning as in section 3321.042 of the Revised Code.	187 188
(W) (X) "Home education learning pod" means a voluntary association of parents who direct their children's education through home education and includes the following characteristics:	189 190 191 192
(1) The parents choose to group their children together in a home or other location at various times, which may include hours when home education is not provided.	193 194 195
(2) The pod includes only the parents' children who are receiving home education, except that it also may include siblings of those children, or other children who are under the care of the parents, regardless of age.	196 197 198 199
(3) At least one parent of any of the children participating in the pod must be on the premises while the pod is meeting.	200 201 202
(X) (Y) "Homeless child care" means child care provided to a child who satisfies any of the following:	203 204
(1) Is homeless as defined in 42 U.S.C. 11302;	205
(2) Is a homeless child or youth as defined in 42 U.S.C. 11434a;	206 207
(3) Resides temporarily with a caretaker in a facility providing emergency shelter for homeless families or is determined by a county department of job and family services to be homeless.	208 209 210 211
(Y) (Z) "Income" means gross income, as defined in section	212

5107.10 of the Revised Code, less any amounts required by	213
federal statutes or regulations to be disregarded.	214
(Z) <u>(AA)</u> "Indicator checklist" means an inspection tool,	215
used in conjunction with an instrument-based program monitoring	216
information system, that contains selected licensing	217
requirements that are statistically reliable indicators or	218
predictors of a child care center's, type A family child care	219
home's, or licensed type B family child care home's compliance	220
with licensing requirements.	221
(AA) <u>(BB)</u> "Infant" means a child who is less than eighteen	222
months of age.	223
(BB) <u>(CC)</u> "In-home aide" means a person who does not reside	224
with the child but provides care in the child's home and is	225
certified by a county director of job and family services	226
pursuant to section 5104.12 of the Revised Code to provide	227
publicly funded child care to a child in a child's own home	228
pursuant to this chapter and any rules adopted under it.	229
(CC) <u>(DD)</u> "Instrument-based program monitoring information	230
system" means a method to assess compliance with licensing	231
requirements for child care centers, type A family child care	232
homes, and licensed type B family child care homes in which each	233
licensing requirement is assigned a weight indicative of the	234
relative importance of the requirement to the health, growth,	235
and safety of the children that is used to develop an indicator	236
checklist.	237
(DD) <u>(EE)</u> "License capacity" means the maximum number in	238
each age category of children who may be cared for in a child	239
care center, type A family child care home, or licensed type B	240
family child care home at one time as determined by the director	241

of children and youth considering building occupancy limits 242
established by the department of commerce, amount of available 243
indoor floor space and outdoor play space, and amount of 244
available play equipment, materials, and supplies. 245

~~(EE)~~ (FF) "Licensed child care program" means any of the 246
following: 247

(1) A child care center licensed by the department of 248
children and youth pursuant to this chapter; 249

(2) A type A family child care home or type B family child 250
care home licensed by the department of children and youth 251
pursuant to this chapter; 252

(3) A licensed preschool program or licensed school child 253
program. 254

~~(FF)~~ (GG) "Licensed preschool program" or "licensed school 255
child program" means a preschool program or school child 256
program, as defined in section 3301.52 of the Revised Code, that 257
is licensed by the department of children and youth pursuant to 258
sections 3301.52 to 3301.59 of the Revised Code. 259

~~(GG)~~ (HH) "Licensed type B family child care home" and 260
"licensed type B home" mean a type B family child care home for 261
which there is a valid license issued by the director of 262
children and youth pursuant to section 5104.03 of the Revised 263
Code. 264

~~(HH)~~ (II) "Licensee" means the owner of a child care 265
center, type A family child care home, or type B family child 266
care home that is licensed pursuant to this chapter and who is 267
responsible for ensuring compliance with this chapter and rules 268
adopted pursuant to this chapter. 269

~~(II)~~ (JJ) "Misuse of public funds" means the improper 270
billing, expenditure, receipt, or retention of publicly funded 271
child care payments in violation of this chapter or rules 272
adopted under it. 273

(KK) "Operate a child day camp" means to operate, 274
establish, manage, conduct, or maintain a child day camp. 275

~~(JJ)~~ (LL) "Owner" includes a person, as defined in section 276
1.59 of the Revised Code, or government entity. 277

~~(KK)~~ (MM) "Parent cooperative child care center," "parent 278
cooperative center," "parent cooperative type A family child 279
care home," and "parent cooperative type A home" mean a 280
corporation or association organized for providing educational 281
services to the children of members of the corporation or 282
association, without gain to the corporation or association as 283
an entity, in which the services of the corporation or 284
association are provided only to children of the members of the 285
corporation or association, ownership and control of the 286
corporation or association rests solely with the members of the 287
corporation or association, and at least one parent-member of 288
the corporation or association is on the premises of the center 289
or type A home during its hours of operation. 290

~~(LL)~~ (NN) "Part-time child care center," "part-time 291
center," "part-time type A family child care home," and "part- 292
time type A home" mean a center or type A home that provides 293
child care or publicly funded child care for not more than four 294
hours a day for any child or not more than fifteen consecutive 295
weeks per year, regardless of the number of hours per day. 296

~~(MM)~~ (OO) "Place of worship" means a building where 297
activities of an organized religious group are conducted and 298

includes the grounds and any other buildings on the grounds used 299
for such activities. 300

~~(NN)~~(PP) "Preschool-age child" means a child who is three 301
years old or older but is not a school-age child. 302

~~(OO)~~(QQ) "Protective child care" means publicly funded 303
child care for the direct care and protection of a child to whom 304
all of the following apply: 305

(1) A case plan has been prepared and maintained for the 306
child pursuant to section 2151.412 of the Revised Code. 307

(2) The case plan indicates a need for protective care. 308

(3) The child resides with a parent, stepparent, guardian, 309
or another person who stands in loco parentis as defined in 310
rules adopted under section 5104.38 of the Revised Code. 311

~~(PP)~~(RR) "Publicly funded child care" means administering 312
to the needs of infants, toddlers, preschool-age children, and 313
school-age children under age thirteen during any part of the 314
twenty-four-hour day by persons other than their caretaker 315
parents for remuneration wholly or in part with federal or state 316
funds, including funds available under the child care block 317
grant act, Title IV-A, and Title XX, distributed by the 318
department of children and youth. 319

~~(QQ)~~(SS) "Religious activities" means any of the 320
following: worship or other religious services; religious 321
instruction; Sunday school classes or other religious classes 322
conducted during or prior to worship or other religious 323
services; youth or adult fellowship activities; choir or other 324
musical group practices or programs; meals; festivals; or 325
meetings conducted by an organized religious group. 326

~~(RR)~~ (TT) "School-age child" means a child who is enrolled 327
in or is eligible to be enrolled in a grade of kindergarten or 328
above but is less than fifteen years old or, in the case of a 329
child who is receiving special needs child care, is less than 330
eighteen years old. 331

~~(SS)~~ (UU) "Serious risk noncompliance" means a licensure or 332
certification rule violation that leads to a great risk of harm 333
to, or death of, a child, and is observable, not inferable. 334

~~(TT)~~ (VV) "Special needs child care" means child care 335
provided to a child who is less than eighteen years of age and 336
either has one or more chronic health conditions or does not 337
meet age appropriate expectations in one or more areas of 338
development, including social, emotional, cognitive, 339
communicative, perceptual, motor, physical, and behavioral 340
development and that may include on a regular basis such 341
services, adaptations, modifications, or adjustments needed to 342
assist in the child's function or development. 343

~~(UU)~~ (WW) "Title IV-A" means Title IV-A of the "Social 344
Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended. 345

~~(VV)~~ (XX) "Title XX" means Title XX of the "Social Security 346
Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended. 347

~~(WW)~~ (YY) "Toddler" means a child who is at least eighteen 348
months of age but less than three years of age. 349

~~(XX)~~ (ZZ) "Type A family child care home" and "type A home" 350
mean the permanent residence of the administrator in which child 351
care or publicly funded child care is provided for eight to 352
fourteen children at one time or a permanent residence of the 353
administrator in which child care is provided for four to 354
fourteen children at one time if four or more children at one 355

time are under two years of age, provided that if the number of 356
children under the age of two years at one time is greater than 357
three or the total number of children at one time is greater 358
than seven, an additional adult shall be present. In counting 359
children for the purposes of this division, any children under 360
six years of age who are related to a licensee, administrator, 361
or employee and who are on the premises of the type A home shall 362
be counted. "Type A family child care home" and "type A home" do 363
not include any child day camp. 364

~~(YY)~~ (AAA) "Type B family child care home" and "type B 365
home" mean a permanent residence of the provider in which care 366
is provided for one to seven children at one time and in which 367
no more than three children are under two years of age at one 368
time. In counting children for the purposes of this division, 369
any children under six years of age who are related to the 370
provider and who are on the premises of the type B home shall be 371
counted. "Type B family child care home" and "type B home" do 372
not include any child day camp. 373

Sec. 5104.30. (A) The department of children and youth is 374
hereby designated as the state agency responsible for 375
administration and coordination of federal and state funding for 376
publicly funded child care in this state. Publicly funded child 377
care shall be provided to the following: 378

(1) Recipients of transitional child care as provided 379
under section 5104.34 of the Revised Code; 380

(2) Participants in the Ohio works first program 381
established under Chapter 5107. of the Revised Code; 382

(3) Individuals who would be participating in the Ohio 383
works first program if not for a sanction under section 5107.16 384

of the Revised Code and who continue to participate in a work 385
activity, developmental activity, or alternative work activity 386
pursuant to an assignment under section 5107.42 of the Revised 387
Code; 388

(4) A family receiving publicly funded child care on 389
October 1, 1997, until the family's income reaches one hundred 390
fifty per cent of the federal poverty line; 391

(5) Subject to available funds, other individuals 392
determined eligible in accordance with rules adopted under 393
section 5104.38 of the Revised Code. 394

The department shall apply to the United States department 395
of health and human services for authority to operate a 396
coordinated program for publicly funded child care, if the 397
director of children and youth determines that the application 398
is necessary. For purposes of this section, the department of 399
children and youth may enter into agreements with other state 400
agencies that are involved in regulation or funding of child 401
care. The department shall consider the special needs of migrant 402
workers when it administers and coordinates publicly funded 403
child care and shall develop appropriate procedures for 404
accommodating the needs of migrant workers for publicly funded 405
child care. 406

(B) The department of children and youth shall distribute 407
state and federal funds for publicly funded child care, 408
including appropriations of state funds for publicly funded 409
child care and appropriations of federal funds available under 410
the child care block grant act, Title IV-A, and Title XX. The 411
department may use any state funds appropriated for publicly 412
funded child care as the state share required to match any 413
federal funds appropriated for publicly funded child care. 414

(C) In the use of federal funds available under the child care block grant act, all of the following apply: 415
416

(1) The department may use the federal funds to hire staff to prepare any rules required under this chapter and to administer and coordinate federal and state funding for publicly funded child care. 417
418
419
420

(2) Not more than five per cent of the aggregate amount of the federal funds received for a fiscal year may be expended for administrative costs. 421
422
423

(3) The department shall allocate and use at least four per cent of the federal funds for the following: 424
425

(a) Activities designed to provide comprehensive consumer education to parents and the public; 426
427

(b) Activities that increase parental choice; 428

(c) Activities, including child care resource and referral services, designed to improve the quality, and increase the supply, of child care; 429
430
431

(d) Establishing the step up to quality program pursuant to section 5104.29 of the Revised Code. 432
433

(4) The department shall ensure that the federal funds will be used only to supplement, and will not be used to supplant, federal, state, and local funds available on the effective date of the child care block grant act for publicly funded child care and related programs. If authorized by rules adopted by the department pursuant to section 5104.42 of the Revised Code, county departments of job and family services may purchase child care from funds obtained through any other means. 434
435
436
437
438
439
440
441

(D) The department shall encourage the development of 442

suitable child care throughout the state, especially in areas 443
with high concentrations of recipients of public assistance and 444
families with low incomes. The department shall encourage the 445
development of suitable child care designed to accommodate the 446
special needs of migrant workers. On request, the department, 447
through its employees or contracts with state or community child 448
care resource and referral service organizations, shall provide 449
consultation to groups and individuals interested in developing 450
child care. The department of children and youth may enter into 451
interagency agreements with the department of education and 452
workforce, the chancellor of higher education, the department of 453
development, and other state agencies and entities whenever the 454
cooperative efforts of the other state agencies and entities are 455
necessary for the department of children and youth to fulfill 456
its duties and responsibilities under this chapter. 457

The department shall develop and maintain a registry of 458
persons providing child care. The director shall adopt rules in 459
accordance with Chapter 119. of the Revised Code establishing 460
procedures and requirements for the registry's administration. 461

(E) (1) The director shall adopt rules in accordance with 462
Chapter 119. of the Revised Code establishing both of the 463
following: 464

(a) Payment rates for providers of publicly funded child 465
care not later than the first day of July in each odd-numbered 466
year; 467

(b) A procedure for paying providers of publicly funded 468
child care. 469

(2) In establishing payment rates under division (E) (1) (a) 470
of this section, the director shall do all of the following: 471

(a) Use the information obtained from the market rate survey developed and conducted in accordance with 45 C.F.R. 98.45;

(b) Establish an enhanced payment rate for providers who ~~enroll children whose~~ provide child care for caretaker parents who work nontraditional hours;

(c) With regard to the step up to quality program established pursuant to section 5104.29 of the Revised Code, establish enhanced payment rates for child care providers that participate in the program.

(3) In establishing payment rates under division (E) (1) (a) of this section, the director may establish different payment rates based on any of the following:

(a) Geographic location of the provider;

(b) Type of care provided;

(c) Age of the child served;

(d) Special needs of the child served;

(e) Whether the expanded hours of service are provided;

(f) Whether weekend service is provided;

(g) Whether the provider has exceeded the minimum requirements of state statutes and rules governing child care;

(h) Any other factors the director considers appropriate.

Sec. 5104.32. (A) All purchases of publicly funded child care shall be made under a contract entered into by a licensed child care center, licensed type A family child care home, licensed type B family child care home, certified in-home aide, approved child day camp, licensed preschool program, licensed

school child program, or border state child care provider and 499
the department of children and youth. All contracts for publicly 500
funded child care shall be contingent upon the availability of 501
state and federal funds. The department shall prescribe a 502
standard form to be used for all contracts for the purchase of 503
publicly funded child care, regardless of the source of public 504
funds used to purchase the child care. To the extent permitted 505
by federal law and notwithstanding any other provision of the 506
Revised Code that regulates state contracts or contracts 507
involving the expenditure of state or federal funds, all 508
contracts for publicly funded child care shall be entered into 509
in accordance with the provisions of this chapter and are exempt 510
from any other provision of the Revised Code that regulates 511
state contracts or contracts involving the expenditure of state 512
or federal funds. 513

(B) Each contract for publicly funded child care shall 514
specify at least the following: 515

(1) That the provider of publicly funded child care agrees 516
to be paid at the rate established pursuant to section 5104.30 517
of the Revised Code; 518

(2) Whether the county department of job and family 519
services, the provider, or a child care resource and referral 520
service organization will make eligibility determinations, 521
whether the provider or a child care resource and referral 522
service organization will be required to collect information to 523
be used by the county department to make eligibility 524
determinations, and the time period within which the provider or 525
child care resource and referral service organization is 526
required to complete required eligibility determinations or to 527
transmit to the county department any information collected for 528

the purpose of making eligibility determinations; 529

(3) That the provider, other than a border state child 530
care provider, shall continue to be licensed, approved, or 531
certified pursuant to this chapter and shall comply with all 532
standards and other requirements in this chapter and in rules 533
adopted pursuant to this chapter for maintaining the provider's 534
license, approval, or certification; 535

(4) That, in the case of a border state child care 536
provider, the provider shall continue to be licensed, certified, 537
or otherwise approved by the state in which the provider is 538
located and shall comply with all standards and other 539
requirements established by that state for maintaining the 540
provider's license, certificate, or other approval; 541

(5) Whether the provider will be paid by the department of 542
children and youth or in some other manner as prescribed by 543
rules adopted under section 5104.42 of the Revised Code; 544

(6) That the contract is subject to the availability of 545
state and federal funds. 546

(C) (1) The department shall establish an automated child 547
care system to track child attendance and enrollment and 548
calculate payments for publicly funded child care. ~~Not later-~~ 549
~~than July 9, 2028, and thereafter, the~~ Subject to section 550
5104.321 of the Revised Code, the department shall calculate 551
payments for publicly funded child care based on a child's 552
~~enrollment, as described in 45 C.F.R. 98.45(m), rather than on a~~ 553
~~child's attendance.~~ 554

(2) Each eligible provider that provides publicly funded 555
child care shall participate in the automated child care system. 556
A provider participating in the system shall not do any of the 557

following: 558

(a) Use or have possession of a personal identification 559
number or password issued to a caretaker parent under the 560
automated child care system; 561

(b) Falsify child attendance or enrollment records; 562

(c) Knowingly seek or accept payment for publicly funded 563
child care for a child not ~~enrolled~~in attendance with the 564
provider or for which the provider was not eligible; 565

(d) Knowingly seek or accept payment for child care for a 566
child who resides in the provider's own home. 567

(3) (a) Except as provided in division (C) (3) (b) of this 568
section, the department shall allow each provider participating 569
in the automated child care system and each caretaker parent to 570
backdate a child's attendance record only within seven calendar 571
days of the date that publicly funded child care was provided. 572

(b) The department may grant approval to the provider or 573
caretaker parent to backdate a child's attendance record within 574
thirty days of the date that publicly funded child care was 575
provided or scheduled to be provided if the backdating relates 576
to either of the following: 577

(i) A documented emergency or extenuating circumstance 578
beyond the provider's or caretaker parent's control, such as a 579
system outage, natural disaster, or other serious event as the 580
department determines; 581

(ii) The thirty-day period described in division (L) of 582
section 5104.38 of the Revised Code. 583

(D) The department may withhold any money due under this 584
chapter ~~and may~~, recover through any appropriate method any 585

money erroneously paid under this chapter, or suspend or 586
terminate a contract to provide publicly funded child care 587
entered into under this section if evidence demonstrates ~~that a~~ 588
~~provider of publicly funded child care failed to comply with~~ 589
~~either any~~ of the following: 590

(1) ~~The~~ That a provider of publicly funded child care 591
failed to comply with the terms of the contract entered into 592
under this section; 593

(2) ~~This~~ That a provider of publicly funded child care 594
failed to comply with this chapter or any rules adopted under 595
it; 596

(3) That a provider of publicly funded child care 597
knowingly engaged in the misuse of public funds or acted with 598
intent to commit fraud against the publicly funded child care 599
program. 600

(E) In addition to the authority granted in division (D) 601
of this section, the department may withhold from a provider of 602
publicly funded child care any money due for a child or children 603
in the provider's care if evidence demonstrates that, in the 604
case of the child or children, the provider is knowingly 605
engaging in the misuse of public funds or acting with intent to 606
commit fraud against the publicly funded child care program. 607

(F) If the department has evidence that a provider has 608
employed an individual who is ineligible for employment under 609
section 5104.013 of the Revised Code and the provider has not 610
released the individual from employment upon notice that the 611
individual is ineligible, the department may terminate 612
immediately the contract entered into under this section to 613
provide publicly funded child care entered into under this 614

section.

615

~~(F)~~(G) Any decision by the department concerning publicly funded child care, including the recovery of funds, overpayment determinations, and contract suspensions or terminations is final and is not subject to appeal, hearing, or further review under Chapter 119. of the Revised Code.

616

617

618

619

620

Sec. 5104.321. Beginning July 1, 2027, in calculating payments for publicly funded child care based on a child's attendance under division (C)(1) of section 5104.32 of the Revised Code, all of the following apply:

621

622

623

624

(A) The department of children and youth shall recognize the following as an absent day: any day that the child is authorized and scheduled to be in the care of a provider of publicly funded child care but does not receive the care as authorized, including when the child attended for part of the day but needed to leave early.

625

626

627

628

629

630

(B) The department shall not pay a provider for an absent day before the child's actual, initial attendance with the provider.

631

632

633

(C) The department shall not recognize a full-time plus authorization.

634

635

(D) The department shall allow a provider to use an eligible absent day when care cannot be provided due to an emergency or other circumstance beyond the provider's control, which prevented the provider from operating on a day that the child was authorized and scheduled to receive care.

636

637

638

639

640

Sec. 5104.34. (A) (1) Each county department of job and family services shall implement procedures for making determinations of eligibility for publicly funded child care.

641

642

643

Under those procedures, the eligibility determination for each 644
applicant shall be made no later than thirty calendar days from 645
the date the county department receives a completed application 646
for publicly funded child care. Each applicant shall be notified 647
promptly of the results of the eligibility determination. An 648
applicant aggrieved by a decision or delay in making an 649
eligibility determination may appeal the decision or delay to 650
the department of children and youth in accordance with section 651
5101.35 of the Revised Code. The due process rights of 652
applicants shall be protected. 653

To the extent permitted by federal law, the county 654
department may make all determinations of eligibility for 655
publicly funded child care, may contract with child care 656
providers or child care resource and referral service 657
organizations for the providers or resource and referral service 658
organizations to make all or any part of the determinations, and 659
may contract with child care providers or child care resource 660
and referral service organizations for the providers or resource 661
and referral service organizations to collect specified 662
information for use by the county department in making 663
determinations. If a county department contracts with a child 664
care provider or a child care resource and referral service 665
organization for eligibility determinations or for the 666
collection of information, the contract shall require the 667
provider or resource and referral service organization to make 668
each eligibility determination no later than thirty calendar 669
days from the date the provider or resource and referral 670
organization receives a completed application that is the basis 671
of the determination and to collect and transmit all necessary 672
information to the county department within a period of time 673
that enables the county department to make each eligibility 674

determination no later than thirty days after the filing of the 675
application that is the basis of the determination. 676

The county department may station employees of the 677
department in various locations throughout the county to collect 678
information relevant to applications for publicly funded child 679
care and to make eligibility determinations. The county 680
department, child care provider, and child care resource and 681
referral service organization shall make each determination of 682
eligibility for publicly funded child care no later than thirty 683
days after the filing of the application that is the basis of 684
the determination, shall make each determination in accordance 685
with any relevant rules adopted pursuant to section 5104.38 of 686
the Revised Code, and shall notify promptly each applicant for 687
publicly funded child care of the results of the determination 688
of the applicant's eligibility. 689

The director of children and youth shall adopt rules in 690
accordance with Chapter 119. of the Revised Code for monitoring 691
the eligibility determination process. In accordance with those 692
rules, the state department shall monitor eligibility 693
determinations made by county departments of job and family 694
services and shall direct any entity that is not in compliance 695
with this division or any rule adopted under this division to 696
implement corrective action specified by the department. 697

(2) (a) All eligibility determinations for publicly funded 698
child care shall be made in accordance with rules adopted 699
pursuant to division (A) of section 5104.38 of the Revised Code. 700
Except as otherwise provided in this section, all of the 701
following apply: 702

(i) Publicly funded child care may be provided only to 703
eligible infants, toddlers, preschool-age children, school-age 704

children under age thirteen, or children receiving special needs 705
child care. 706

(ii) For an applicant to be eligible for publicly funded 707
child care, the caretaker parent must be employed or 708
participating in a program of education or training for an 709
amount of time reasonably related to the time that the parent's 710
children are receiving publicly funded child care. This 711
restriction does not apply to families whose children are 712
eligible for protective child care. 713

(iii) The eligibility period for publicly funded child 714
care shall be at least twelve months. 715

(b) If a caretaker parent who has been determined eligible 716
to receive publicly funded child care no longer meets the 717
requirements of division (A) (2) (a) (ii) of this section, the 718
caretaker parent may continue to receive publicly funded child 719
care for a period of at least three but not more than four 720
months not to extend beyond the caretaker parent's eligibility 721
period. 722

(c) If a child turns thirteen, or if a child receiving 723
special needs child care turns eighteen, during the eligibility 724
period, the caretaker parent may continue to receive publicly 725
funded child care until the end of that eligibility period. 726

Subject to available funds, the department of children and 727
youth shall allow a family to receive publicly funded child care 728
unless the family's income exceeds the maximum income 729
eligibility limit. Initial and continued eligibility for 730
publicly funded child care is subject to available funds unless 731
the family is receiving child care pursuant to division (A) (1), 732
(2), (3), or (4) of section 5104.30 of the Revised Code. If the 733

department must limit eligibility due to lack of available 734
funds, it shall give first priority for publicly funded child 735
care to an assistance group whose income is not more than the 736
maximum income eligibility limit that received transitional 737
child care in the previous month but is no longer eligible 738
because the eligibility period has expired. Such an assistance 739
group shall continue to receive priority for publicly funded 740
child care until its income exceeds the maximum income 741
eligibility limit. 742

(3) An assistance group that ceases to participate in the 743
Ohio works first program established under Chapter 5107. of the 744
Revised Code is eligible for transitional child care at any time 745
during the immediately following twelve-month period that both 746
of the following apply: 747

(a) The assistance group requires child care due to 748
employment; 749

(b) The assistance group's income is not more than one 750
hundred fifty per cent of the federal poverty line. 751

An assistance group ineligible to participate in the Ohio 752
works first program pursuant to section 5101.83 or section 753
5107.16 of the Revised Code is not eligible for transitional 754
child care. 755

(B) To the extent permitted by federal law, the department 756
of children and youth may require a caretaker parent determined 757
to be eligible for publicly funded child care to pay a fee 758
according to the schedule of fees established in rules adopted 759
under section 5104.38 of the Revised Code. The department shall 760
make protective child care services and homeless child care 761
services available to children without regard to the income or 762

assets of the caretaker parent of the child. 763

(C) A caretaker parent receiving publicly funded child 764
care shall report to the entity that determined eligibility any 765
changes in status with respect to employment or participation in 766
a program of education or training not later than ten calendar 767
days after the change occurs. 768

(D) If the department of children and youth determines 769
that available resources are not sufficient to provide publicly 770
funded child care to all eligible families who request it, the 771
department may establish a waiting list. The department may 772
establish separate waiting lists within the waiting list based 773
on income. 774

(E) A caretaker parent shall ~~not~~ receive publicly funded 775
child care only from ~~more than~~ one child care provider per child 776
during a week, unless ~~a county~~ the department of children and 777
youth or its designee grants the family an exemption on a 778
temporary basis for one of the following reasons: 779

(1) ~~The child needs additional care during non-traditional~~ 780
~~hours;~~ 781

~~(2)~~ The child needs to change providers in the middle of 782
the week, for a period not more than one week, and the hours of 783
care provided by the providers do not overlap; 784

~~(3)~~ (2) The child's provider is closed on scheduled school 785
days off or on calamity days; 786

(3) The child's need cannot be met by one provider without 787
impacting the family's education, employment, or training 788
schedule. 789

(F) As used in this section, "maximum income eligibility 790

limit" means the amount of income specified in rules adopted 791
under division (A) of section 5104.38 of the Revised Code. 792

Sec. 5104.38. In addition to any other rules adopted under 793
this chapter, the director of children and youth shall adopt 794
rules in accordance with Chapter 119. of the Revised Code 795
governing financial and administrative requirements for publicly 796
funded child care and establishing all of the following: 797

(A) Procedures and criteria to be used in making 798
determinations of eligibility for publicly funded child care 799
that give priority to children of families with lower incomes 800
and procedures and criteria for eligibility for publicly funded 801
protective child care or homeless child care. The rules shall 802
specify the maximum amount of income a family may have for 803
initial and continued eligibility. The maximum amount shall not 804
exceed three hundred per cent of the federal poverty line. The 805
rules may specify exceptions to the eligibility requirements in 806
the case of a family that previously received publicly funded 807
child care and is seeking to have the child care reinstated 808
after the family's eligibility was terminated. 809

(B) A schedule of fees requiring all eligible caretaker 810
parents to pay a fee for publicly funded child care according to 811
income and family size, which shall be uniform for all types of 812
publicly funded child care, except as authorized by rule, and, 813
to the extent permitted by federal law, shall permit the use of 814
state and federal funds to pay the customary deposits and other 815
advance payments that a provider charges all children who 816
receive child care from that provider. 817

(C) A formula for determining the amount of state and 818
federal funds appropriated for publicly funded child care that 819
may be allocated to a county department to use for 820

administrative purposes;	821
(D) Procedures to be followed by the department and county departments in recruiting individuals and groups to become providers of child care;	822 823 824
(E) Procedures to be followed in establishing state or local programs designed to assist individuals who are eligible for publicly funded child care in identifying the resources available to them and to refer the individuals to appropriate sources to obtain child care;	825 826 827 828 829
(F) Procedures to deal with fraud and abuse committed by either recipients or providers of publicly funded child care;	830 831
(G) Procedures for establishing a child care grant or loan program in accordance with the child care block grant act;	832 833
(H) Standards and procedures for applicants to apply for grants and loans, and for the department to make grants and loans;	834 835 836
(I) A definition of "person who stands in loco parentis" for the purposes of division (00) (3) of section 5104.01 of the Revised Code;	837 838 839
(J) Procedures for a county department of job and family services to follow in making eligibility determinations and redeterminations for publicly funded child care available through telephone, computer, and other means at locations other than the county department;	840 841 842 843 844
(K) If the director establishes a different payment rate under division (E) (3) (d) of section 5104.30 of the Revised Code, standards and procedures for determining the amount of the higher payment that is to be issued to a child care provider	845 846 847 848

based on the special needs of the child being served; 849

(L) To the extent permitted by federal law, procedures for 850
enrolling and paying for up to thirty days of child care for a 851
child whose caretaker parent is seeking employment, taking part 852
in employment orientation activities, or taking part in 853
activities in anticipation of enrolling in or attending an 854
education or training program or activity, if the employment or 855
the education or training program or activity is expected to 856
begin within the thirty-day period; 857

(M) Any other rules necessary to carry out sections 858
5104.30 to 5104.43 of the Revised Code. 859

Sec. 5104.45. (A) Upon the written request of the 860
governor, the general assembly, the auditor of state, the 861
director of children and youth, or the director of budget and 862
management, or upon the inspector general's becoming aware of 863
criminal or improper activity related to Chapter 5104. and the 864
publicly funded child care program described in section 5104.30 865
of the Revised Code, the inspector general shall investigate any 866
criminal or civil violation of law related to Chapter 5104. of 867
the Revised Code or the publicly funded child care program. 868

(B) When it appears to the inspector general, as a result 869
of an investigation under division (A) of this section, that 870
there is cause to suspect the commission of a crime or to pursue 871
a civil remedy, the inspector general may refer the evidence 872
from the investigation to any of the following: 873

(1) The prosecuting attorney having jurisdiction of the 874
matter; 875

(2) A regular grand jury drawn and impaneled pursuant to 876
sections 2939.01 to 2939.24 of the Revised Code; 877

(3) A special grand jury drawn and impaneled pursuant to 878
section 2939.17 of the Revised Code; 879

(4) The attorney general. 880

(C) After receiving the evidence as described in division 881
(B) of this section, the attorney general may initiate and 882
prosecute any necessary criminal or civil actions in any court 883
or tribunal of competent jurisdiction in this state. When 884
proceeding under this section, the attorney general, and any 885
assistant or special counsel designated by the attorney general 886
for that purpose, has all rights, privileges, and powers of 887
prosecuting attorneys. The attorney general has exclusive 888
supervision and control of all investigations and prosecutions 889
initiated by the attorney general under this section. The 890
forfeiture provisions of Chapter 2981. of the Revised Code apply 891
in relation to any such criminal action initiated and prosecuted 892
by the attorney general. 893

(D) Nothing in this section prevents a county prosecuting 894
attorney from investigating and prosecuting criminal activity 895
related to Chapter 5104. of the Revised Code and the publicly 896
funded child care program. The forfeiture provisions of Chapter 897
2981. of the Revised Code apply in relation to any prosecution 898
of criminal activity related to the publicly funded child care 899
program undertaken by the prosecuting attorney. 900

Sec. 5104.53. (A) As used in this section: 901

(1) "Family services program" has the same meaning as in 902
section 5101.35 of the Revised Code. 903

(2) "IEP" has the same meaning as in section 3323.01 of 904
the Revised Code. 905

(3) "Resource caregiver" has the same meaning as in 906

section 5103.02 of the Revised Code. 907

(B) The early childhood education grant program is created 908
in the department of children and youth. Subject to available 909
funds, the program shall support and invest in early learning 910
and development programs operating in this state by awarding 911
grants to programs that meet the conditions of this section in 912
an amount that corresponds to the number of eligible children 913
served by the programs. 914

(C) To be eligible for a grant under this section, an 915
early learning and development program shall meet each of the 916
following conditions: 917

(1) The program is rated through the step up to quality 918
program established under section 5104.29 of the Revised Code at 919
the tiered rating specified by the department in rules adopted 920
under this section. 921

(2) The program provides early learning and development 922
services to one or more preschool-age children described in 923
division (D) of this section. 924

(3) The program meets any other eligibility condition 925
specified by the department in rules adopted under this section. 926

(D) A preschool-age child who meets all of the following 927
conditions, as determined by a county department of job and 928
family services, is eligible to participate in the early 929
childhood education grant program if a slot is available: 930

(1) Either the amount of the child's family income does 931
not exceed two hundred per cent of the federal poverty line or 932
the child meets one of the following conditions: 933

(a) An IEP has been developed for the child; 934

(b) The child is placed with a resource caregiver as 935
described in Chapter 5103. of the Revised Code, with such 936
placement documented by either a family case plan or kinship 937
permanency incentive payments; 938

(c) The child is homeless as described in ~~division (V) of~~ 939
section 5104.01 of the Revised Code. 940

(2) The child is a citizen of the United States or a 941
qualified alien. 942

(3) The child meets any other eligibility condition 943
specified by the department in rules adopted under this section. 944

(E) Any funds appropriated to the department for purposes 945
of the early childhood education grant program shall be used as 946
follows: 947

(1) In each fiscal year, not more than two per cent of 948
appropriated funds shall be used for program support and 949
technical assistance. 950

(2) Appropriated funds other than those described in 951
division (E)(1) of this section shall be distributed to grant 952
recipients. 953

(F) In accordance with Chapter 119. of the Revised Code, 954
the director shall adopt rules to implement this section and 955
administer the early childhood education grant program, 956
including rules addressing all of the following topics: 957

(1) Eligibility conditions and other requirements for 958
participation in the grant program by early learning and 959
development programs, including the tiered rating at which a 960
program becomes eligible to participate; 961

(2) Eligibility conditions for children participating in 962

the early childhood education grant program if a slot is available;	963 964
(3) Standards, procedures, and requirements to apply for and distribute funds to participating early learning and development programs;	965 966 967
(4) In the event funds are distributed in error under the program, methods by which the department may recover those funds.	968 969 970
(G) The award of an early childhood education grant under this section shall not be considered publicly funded child care or a family services program.	971 972 973
Section 2. That existing sections 5104.01, 5104.30, 5104.32, 5104.34, 5104.38, and 5104.53 of the Revised Code are hereby repealed.	974 975 976
Section 3. That Sections 423.10 (as amended by H.B. 434 of the 136th General Assembly) and 423.105 of H.B. 96 of the 136th General Assembly be amended to read as follows:	977 978 979
Sec. 423.10.	980 981

	1	2	3	4	5
A					KID DEPARTMENT OF CHILDREN AND YOUTH
B					General Revenue Fund
C	GRF	650400	Medicaid Program Support - State	\$1,393,000	\$1,393,000
D	GRF	830321	Children and Youth Program Management	\$55,000,000	\$55,500,000

E	GRF	830400	Child Care State/Maintenance of Effort	\$93,636,000	\$93,636,000
F	GRF	830402	Maternal and Infant Housing Assistance	\$500,000	\$500,000
G	GRF	830403	Help Me Grow	\$60,000,000	\$63,000,000
H	GRF	830404	Infant Vitality	\$18,000,000	\$18,000,000
I	GRF	830405	Part C Early Intervention	\$30,000,000	\$32,000,000
J	GRF	830406	Strong Families Strong Communities	\$7,500,000	\$2,500,000
K	GRF	830407	Early Childhood Education	\$130,319,450	\$130,320,617
L	GRF	830409	Early Care and Education Learning Standards	\$6,052,091	\$6,150,959
M	GRF	830410	Family and Children First	\$2,706,000	\$2,706,000
N	GRF	830411	Imagination Library	\$8,250,000	\$8,250,000
O	GRF	830414	Child Care Cred Program	\$10,000,000 \$600,000	\$0 \$4,400,000
P	GRF	830415	Parenting and Pregnancy Program	\$10,000,000	\$10,000,000
Q	GRF	830416	Adoption Grant Program	\$23,450,000	\$34,000,000
R	GRF	830418	Child Care Provider	\$1,000,000	\$1,850,000

Recruitment

S	GRF	830419	Children's Crisis Care	\$1,350,000	\$1,350,000
T	GRF	830420	Community Projects and Assistance	\$3,100,000 <u>\$5,100,000</u>	\$2,600,000 <u>\$5,600,000</u>
U	GRF	830421	Responsible Fatherhood Initiative Grant Program	\$5,000,000	\$15,000,000
V	GRF	830500	Early Care and Education	\$141,285,000	\$141,285,000
W	GRF	830501	Kinship Permanency Incentive Program	\$1,000,000	\$1,000,000
X	GRF	830502	Court Appointed Special Advocates	\$1,000,000	\$1,000,000
Y	GRF	830503	Adoption Services	\$23,992,000	\$23,992,000
Z	GRF	830505	Infant and Early Childhood Mental Health (ECMH)	\$4,100,000	\$4,100,000
AA	GRF	830506	Family and Children Services	\$291,759,990	\$296,409,990
AB	General Revenue Fund Total			\$930,393,531 <u>\$922,993,531</u>	\$946,543,566 <u>\$953,943,566</u>
AC	Dedicated Purpose Fund Group				
AD	1980	830600	Children's Trust Fund	\$5,770,407	\$5,800,246

AE 2320 830613	Family and Children First	\$2,485,214	\$2,514,051
AF 4E70 830615	Family and Children Services Collections	\$650,000	\$650,000
AG 4F10 830607	Family and Children Activities	\$655,000	\$655,000
AH 5BN1 830618	Child Welfare Training Support	\$7,387,465	\$7,387,465
AI 5B01 830620	Children and Youth Community Initiatives	\$20,000,000	\$10,000,000
AJ 5BP1 830621	Agency Oversight and Support	\$9,000,000	\$9,000,000
AK 5CN0 830617	Choose Life	\$80,000	\$80,000
AL 5U60 830619	Family and Children Support	\$400,000	\$400,000
AM	Dedicated Purpose Fund Group Total	\$46,428,086	\$36,486,762
AN	Federal Fund Group		
AO 3201 830608	Maternal and Child Health Block Grant	\$5,000,000	\$5,000,000
AP 3270 830601	Child Welfare	\$31,024,665	\$31,147,396
AQ 3980 830612	Adoption Program	\$215,000,000	\$215,000,000
AR 3A91 830622	Mental Health Block Grant	\$1,698,892	\$1,698,892

AS 3C50 830610	Preschool Special Education	\$16,026,864	\$16,026,864
AT 3D30 830602	Children's Trust Fund	\$7,030,643	\$7,048,243
AU 3F02 650600	Medicaid Program Support - Federal	\$1,393,000	\$1,393,000
AV 3H70 830604	Child Care	\$646,049,427	\$591,221,224
AW 3IT0 830609	Community Social Service Programs	\$22,803,908	\$22,803,908
AX 3IU0 830623	Federal Children and Youth Grants	\$52,000,000	\$52,000,000
AY 3N00 830603	Foster Care Program	\$337,778,385	\$338,091,973
AZ 3V62 830605	TANF Block Grant	\$327,850,000	\$327,850,000
BA	Federal Fund Group Total	\$1,663,655,784	\$1,609,281,500
BB	TOTAL ALL BUDGET FUND GROUPS	\$2,640,477,401	\$2,592,311,828
		<u>\$2,633,077,401</u>	<u>\$2,599,711,828</u>

Sec. 423.105. COMMUNITY PROJECTS AND ASSISTANCE 982

Of the foregoing appropriation item 830420, Community 983
Projects and Assistance, up to \$2,000,000 in fiscal year 2026 984
and up to \$3,000,000 in fiscal year 2027 shall be used to 985
support enhanced data analytics in order to conduct automated 986
attendance reviews of publicly funded child care providers. 987

Of the foregoing appropriation item 830420, Community 988
Projects and Assistance, \$500,000 in fiscal year 2026 shall be 989

distributed to Birthing Beautiful Communities to provide 990
perinatal support services for at-risk mothers and children in 991
Cuyahoga and Summit counties. 992

Of the foregoing appropriation item 830420, Community 993
Projects and Assistance, \$100,000 in each fiscal year shall be 994
provided to Applewood Centers, Inc., to expand its foster care 995
program. 996

Section 4. That existing Sections 423.10 (as amended by 997
H.B. 434 of the 136th General Assembly) and 423.105 of H.B. 96 998
of the 136th General Assembly are hereby repealed. 999