As Introduced

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Representatives Lawson-Rowe, Lett

Cosponsors: Representatives Brennan, Brownlee, Glassburn, McNally, Miller, J., Piccolantonio, Rogers, Russo, Sweeney, White, E.

To amend section 5104.03 and to enact sections 5104.55 and 5104.56 of the Revised Code regarding child care services for the children of veterans and active duty military members, to name this act the Ohio Vets-Military Families Childcare Act, and to make an appropriation.

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

Section 1. That section 5104.03 be amended and sections 5104.55 and 5104.56 of the Revised Code be enacted to read as follows:

Sec. 5104.03. (A) As used in this section, "owner" has the same meaning as in section 5104.01 of the Revised Code, except that "owner" also includes a firm, organization, institution, or agency, as well as any individual governing board members, partners, or authorized representatives of the owner.

(B) Any person, firm, organization, institution, or agency seeking to establish a child care center, type A family child care home, or licensed type B family child care home shall apply for a license to the director of children and youth on such form as the director prescribes. The director shall provide at no

charge to each applicant for licensure a copy of the child care license requirements in this chapter and a copy of the rules adopted pursuant to this chapter. The copies may be provided in paper or electronic form.

Fees shall be set by the director pursuant to sections 5104.015, 5104.017, and 5104.018 of the Revised Code and shall be paid at the time of application for a license to operate a center, type A home, or type B home. Fees collected under this section shall be paid into the state treasury to the credit of the general revenue fund.

(C)(1) Upon filing of the application for a license, the director shall investigate and inspect the center, type A home, or type B home to determine the license capacity for each age category of children of the center, type A home, or type B home and to determine whether the center, type A home, or type B home complies with this chapter and rules adopted pursuant to this chapter. When, after investigation and inspection, the director is satisfied that this chapter and rules adopted pursuant to it are complied with, subject to division (G) of this section, a license shall be issued as soon as practicable in such form and manner as prescribed by the director. The license shall be designated as provisional and shall be valid for at least twelve months from the date of issuance and until the continuous license is issued or until the provisional license is revoked or suspended pursuant to section 5104.042 of the Revised Code.

(2) The director may contract with a government entity or a private nonprofit entity for the entity to inspect type A or type B family child care homes pursuant to this section. If the director contracts with a government entity or private nonprofit entity for that purpose, the entity may contract with another

government entity or private nonprofit entity for the other entity to inspect type A or type B homes pursuant to this section. The director, government entity, or private nonprofit entity shall conduct an inspection prior to the issuance of a license for a type A or type B home and, as part of that inspection, ensure that the home is safe and sanitary.

(3) The director shall issue licenses in accordance with section 4743.041 of the Revised Code, but only if the director determines that the standards under which the other state or jurisdiction issued the license or certificate to practice a child care trade or profession are substantially similar to or more stringent than the standards under which the department issues licenses under this section.

(D) The director shall investigate and inspect the center, type A home, or type B home at least once during operation under a license designated as provisional. If after the investigation and inspection the director determines that the requirements of this chapter and rules adopted pursuant to this chapter are met, subject to division (G) of this section, the director shall issue a continuous license to the center or home.

(E) Each license shall state the name of the licensee, the name of the administrator, the address of the center, type A home, or licensed type B home, and the license capacity for each age category of children. The license shall include thereon, in accordance with sections 5104.015, 5104.017, and 5104.018 of the Revised Code, the toll-free telephone number to be used by persons suspecting that the center, type A home, or licensed type B home has violated a provision of this chapter or rules adopted pursuant to this chapter. A license is valid only for the licensee, administrator, address, and license capacity for

each age category of children designated on the license. The license capacity specified on the license is the maximum number of children in each age category that may be cared for in the center, type A home, or licensed type B home at one time.

A center or home licensee shall notify the director in writing when the administrator, address, or license capacity of the center or home changes. The director shall amend the current license to reflect a change in any of the following:

(1) An administrator, if the administrator meets the requirements of this chapter and rules adopted pursuant to this chapter;

(2) Address, if the new address meets the requirements of this chapter and rules adopted pursuant to this chapter;

(3) License capacity for any age category of children as determined by the director of children and youth.

(F) If the director revokes the license of a center, a type A home, or a type B home, the director shall not issue another license to the owner of the center, type A home, or type B home until five years have elapsed from the date the license is revoked.

If the director denies an application for a license, the director shall not consider another application from the applicant until five years have elapsed from the date the application is denied.

(G)(1) Except as provided in division (G)(2) of this section, all actions of the director with respect to licensing centers, type A homes, or type B homes, refusal to license, and revocation of a license shall be in accordance with Chapter 119. of the Revised Code. Except as provided in division (G)(2) of

this section, any applicant who is denied a license or any owner whose license is revoked may appeal in accordance with section 119.12 of the Revised Code.

(2) The following actions by the director are not subject to Chapter 119. of the Revised Code:

(a) The director ceases its review of an application because the owner of a center, type A home, or type B home sought a license before five years had elapsed from the date the previous license was revoked and the director does not issue the license.

(b) The director ceases its review of an application because the applicant applied for licensure before five years had elapsed from the date the previous application was denied and the director does not issue the license.

(c) The director closes a license because the director has determined that the center, type A home, or type B home is no longer operating at the address stated on the license and did not notify the director of the address change as described in division (E) of this section.

(H) In no case shall the director issue a license under this section for a center, type A home, or type B home if the director, based on documentation provided by the appropriate county department of job and family services, determines that the applicant had been certified as an in-home aide, that the county department revoked that certification within the immediately preceding five years, that the revocation was based on the applicant's refusal or inability to comply with the criteria for certification, and that the refusal or inability resulted in a risk to the health or safety of children.

(I) An owner of a type B family child care home that receives a license pursuant to this section is an independent contractor and is not an employee of the department of children and youth.

Sec. 5104.55. (A) The department of children and youth, in coordination with the department of veterans services, shall establish and administer the veterans and military families child care program. Subject to available funds, the program shall provide support, in the form of child care vouchers, to veterans and military families to assist them with child care costs. To be eligible to participate in the program, a family must meet all of the following conditions:

(1) The family contains a member who is a veteran or active duty military member, and the caretaker parent is employed or participating in a program of education or training for an amount of time reasonably related to the time that the parent's children are receiving care.

(2) The family does not meet the income conditions for initial eligibility under the publicly funded child care program administered by the department as described in section 5104.30 of the Revised code, but the maximum amount of the family's income does not exceed four hundred fifty per cent of the federal poverty line.

(3) The family meets any other conditions established by the department.

(B) In providing vouchers under this section, the program shall utilize the publicly funded child care payment rates established in section 5104.30 of the Revised Code, except that such payment rates shall not be enhanced payment rates as

described in division (E)(2)(c) of that section.

Sec. 5104.56. The department of children and youth shall take all actions necessary to expand participation in the military child care in your neighborhood plus program in this state and other federal child care programs administered specifically for veterans and military families.

Section 2. That existing section 5104.03 of the Revised Code is hereby repealed.

Section 3. On the effective date of this section, or as soon as possible thereafter, the Director of Children and Youth shall certify to the Director of Budget and Management the amount necessary to fund the Veterans and Military Families Child Care Program established in section 5104.55 of the Revised Code during fiscal year 2026 and fiscal year 2027. The certified amount is hereby appropriated.

Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be accounted for as though made in, and are subject to all applicable provisions of, H.B. 96 of the 136th General Assembly.

Section 4. This act shall be known as the Ohio Vets-Military Families Childcare Act.