As Introduced

135th General Assembly Regular Session 2023-2024

H. B. No. 610

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Representative Johnson

A BILL

To enact section 5180.41 of the Revised Code to

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

make an appropriation.

establish the Child Care Cred Program and to

Section 1. That section 5180.41 of the Revised Code be	4					
enacted to read as follows:						
Sec. 5180.41. (A) As used in this section, "child care"	6					
has the same meaning as in section 5104.01 of the Revised Code.	7					
(B) The child care cred program is created in the	8					
department of children and youth, under which the costs of child	9					
care are shared equally by participating employees, their	10					
employers, and, subject to available funds, the department. The	11					
program has all of the following goals: enabling employers to	12					
attract and retain talent; assisting employees with child care	13					
costs; and sustaining the businesses of child care providers.	14					
(C) To be eligible to participate in the program, all of	15					
the following apply:	16					
(1) In the case of an employee, the employee shall reside	17					
in this state and have been selected for participation by the	18					

<pre>employee's employer.</pre>						
(2) In the case of an employer, the employer shall be	20					
located in this state and have selected one or more of its						
employees to participate in the program.	22					
(3) In the case of a child care provider, the provider	23					
shall either hold a license issued under Chapter 5104. of the						
Revised Code or be certified by a county department of job and						
family services under section 5104.12 of the Revised Code.						
(D) Each employee and employer seeking to participate in	27					
the program shall together submit an application to the	28					
department in a manner prescribed by the department. The	29					
department shall review each application as soon as practicable	30					
after it is received and shall determine if the employee and	31					
employer are both eligible to participate.	32					
(E) After an employee and employer are both determined	33					
eligible and agree to participate in the program, all of the	34					
<pre>following apply:</pre>	35					
(1) The employee, with the assistance of the department,	36					
shall select a child care provider for the employee's child and	37					
shall enroll the child with the provider. An employee may opt to	38					
select the employee's existing child care provider so long as	39					
that provider is licensed or certified as described in this	40					
section.	41					
(2) In addition to the employer's share, the employer may	42					
agree to contribute some or all of an employee's share of child	43					
<pre>care costs.</pre>	44					
(3) As a condition of participation, the department may	45					
require the employee, employer, and child care provider to each	46					
sign a memorandum of understanding with the department.						

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(4) The department is responsible for coordinating and	48
performing all administrative activities associated with the	4.9
sharing of child care costs and making payments to child care	50
providers.	51
(F) An eligibility determination made under division (D)	52
of this section remains valid as long as the employee, employer,	53
and child care provider continue to satisfy the eligibility	54
conditions described in division (C) of this section.	55
(G) If the department finds that an employee or employer	56
has committed fraud, misrepresentation, or deception in applying	57
to participate, or in participating, in the program, the	58
employee or employer is permanently ineligible to participate,	59
or continue to participate, in the program.	60
(H) (1) The department may adopt rules as necessary to	61
implement this section. Any rules shall be adopted in accordance	62
with Chapter 119. of the Revised Code.	63
(2) Notwithstanding any provision of section 121.95 of the	64
Revised Code to the contrary, a regulatory restriction contained	65
in a rule adopted under division (H)(1) of this section is not	66
subject to sections 121.95 to 121.953 of the Revised Code.	67
Section 2. All items in this act are hereby appropriated	68
as designated out of any moneys in the state treasury to the	69
credit of the designated fund. For all operating appropriations	7 C
made in this act, those in the first column are for fiscal year	71
2024 and those in the second column are for fiscal year 2025.	72
The operating appropriations made in this act are in addition to	73
any other operating appropriations made for these fiscal years.	74
Soction 3	75

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А			KID DEPARTMENT OF C	HILDREN AND	YOUTH		
В	Gene	ral Reven	ue Fund				
С	GRF	830414	Child Care Cred Progra	am	\$0	\$10,000,000	
D	TOTA	L GRF Gen	eral Revenue Fund		\$0	\$10,000,000	
Ε	TOTA	L ALL BUD	GET FUND GROUPS		\$0	\$10,000,000	
	T	RI-SHARE	CHILD CARE				77
	The foregoing appropriation item 830414, Child Care Cred						78
P:	rogram	, shall b	e used for the Child Ca	re Cred Prog	gram		79
es	established in section 5180.41 of the Revised Code.					80	
	S	ection 4.	Within the limits set	forth in thi	s act, the		81
D:	irecto	r of Budo	ret and Management shall	establish a	accounts		82
	indicating the source and amount of funds for each appropriation						83
	made in this act, and shall determine the manner in which						84
	appropriation accounts shall be maintained. Expenditures from						85
	operating appropriations contained in this act shall be						86
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	accounted for as though made in, and are subject to all						
aj	applicable provisions of, H.B. 33 of the 135th General Assembly.						