

AMENDMENTS TO LB904

(Amendments to Standing Committee amendments, AM2734)

Introduced by Bostar, 29.

1 1. Insert the following new sections:

2 Section 1. Sections 1 to 13 of this act shall be known and may be
3 cited as the Child Care Capacity Building and Workforce Act.

4 Sec. 2. The Legislature finds that:

5 (1) There is a lack of licensed child care programs in Nebraska;

6 (2) Providing incentives and support to the child care workforce
7 will help maintain and increase the child care capacity in Nebraska;

8 (3) An increased child care capacity will bolster Nebraska's economy
9 by providing parents and guardians the ability to enter, re-enter, and
10 remain in the workforce; and

11 (4) The benefits of quality child care and early childhood education
12 are indisputable and a connection exists between a child's learning
13 experiences before entering kindergarten and success in school.

14 Sec. 3. For purposes of the Child Care Capacity Building and
15 Workforce Act:

16 (1) Capacity means the number of children receiving care or services
17 through an approved program;

18 (2) Community foundation means a tax-exempt, nonprofit, autonomous,
19 nonsectarian, philanthropic institution supported by the public with the
20 long-term goals of:

21 (a) Building permanent, component funds established by many separate
22 donors to carry out charitable interests; and

23 (b) Supporting the broad-based charitable interests and benefiting
24 the residents of a defined geographic area;

25 (3) Department means the Department of Economic Development;

26 (4) Eligible recipient means:

1 (a) Any city of the metropolitan class, city of the primary class,
2 city of the first class, city of the second class, village, or county;

3 (b) Any nonprofit organization, including any community foundation;
4 or

5 (c) Any other entity determined appropriate in rules and regulations
6 adopted and promulgated by the department;

7 (5) License-exempt provider means any approved license-exempt
8 provider enrolled in the child care subsidy program pursuant to sections
9 68-1202 and 68-1206;

10 (6) Licensed child care program means a program described in section
11 71-1911; and

12 (7) Regional facilitator hub means any entity that provides
13 administrative and technical support to any licensed child care program,
14 including any:

15 (a) Nonprofit organization; or

16 (b) Community foundation.

17 Sec. 4. (1) The Child Care Capacity Building and Workforce Grant
18 Program is created.

19 (2) The department shall contract with a statewide organization that
20 supports children and families to administer the program, which may
21 include providing technical assistance to any grant recipient. Up to five
22 percent of the money appropriated to the department each fiscal year for
23 purposes of the Child Care Capacity Building and Workforce Act may be
24 reserved for such contract with a statewide organization.

25 (3) Under the guidance of the department, the statewide organization
26 shall be responsible for the following under the program:

27 (a) Prescribing the form on which an eligible recipient may apply to
28 receive a grant under the program;

29 (b) Reviewing applications and identifying potential grant
30 recipients;

31 (c) Providing technical assistance to grant recipients; and

1 (d) Coordinating with the Department of Health and Human Services
2 and the State Department of Education to determine if the grant request
3 will help meet the child care needs of the eligible recipient.

4 (4) The Department of Economic Development shall:

5 (a) Award grants to eligible recipients across the state and in
6 urban and rural areas to the fullest extent possible;

7 (b) Award a grant to an eligible recipient based upon a list of the
8 potential grant recipients that are identified by the statewide
9 organization; and

10 (c) Prioritize applicants that are requesting a grant to:

11 (i) Increase child care capacity for children three years of age or
12 younger by creating a new licensed child care program or license-exempt
13 child care program serving children enrolled in child care subsidy or
14 expanding an existing licensed-child care or license-exempt child care
15 program serving children enrolled in child care subsidy;

16 (ii) Support the child care workforce; or

17 (iii) Create a child care program in a county that is not served by
18 any licensed or license-exempt child care program that offers full-day
19 full-year care.

20 Sec. 5. To be eligible to receive a grant under the Child Care
21 Capacity Building and Workforce Grant Program, an eligible recipient
22 shall complete the application form prescribed by the statewide
23 organization and provide for a one-to-one match for the amount of the
24 grant. The eligible recipient shall include the following required
25 information in its grant application:

26 (1) A needs assessment showing the child care capacity and the needs
27 of the eligible recipient at the time of application;

28 (2) How the eligible recipient plans to use the grant;

29 (3) How the eligible recipient plans to provide a one-to-one match
30 for the amount of any grant received. Such match shall be in the form of:

31 (a) Money or other collateral;

1 (b) An in-kind donation, including a donation of facilities,
2 maintenance, or equipment; or

3 (c) Any combination of money, collateral, or in-kind donation that
4 is approved by the department; and

5 (4) Any other information required by the department.

6 Sec. 6. A grant recipient under the Child Care Capacity Building
7 and Workforce Grant Program may use the grant to provide financial or
8 other support to:

9 (1) The operation of a licensed child care program;

10 (2) The operation of a license-exempt provider serving children
11 enrolled in child care subsidy;

12 (3) The child care workforce;

13 (4) Parents or guardians with children in child care programs;

14 (5) A federal Head Start program or Early Head Start program;

15 (6) Start or expand any existing licensed child care program or
16 license-exempt program serving any child on a child care subsidy;

17 (7) An entity other than the statewide organization contracted to
18 administer the Child Care Capacity Building and Workforce Program that
19 provides administrative or technical support to a child care program;

20 (8) Build or remodel an existing building for child care purposes;

21 (9) Any purpose specified in rules and regulations adopted and
22 promulgated by the department; or

23 (10) Any combination of such purposes.

24 Sec. 7. (1) Each grant recipient under the Child Care Capacity
25 Building and Workforce Grant Program shall provide the one-to-one match
26 prior to receiving any disbursement of grant proceeds under the program.

27 (2) The department shall specify how a grant recipient may provide
28 proof of a one-to-one match for a grant.

29 (3) The department shall disburse the grant proceeds to any grant
30 recipient that provides satisfactory proof of a one-to-one match. The
31 grant may be disbursed in increments as determined by the department.

1 Sec. 8. (1)(a) If the department determines that a grant recipient
2 used the grant other than as provided in section 6 of this act, the
3 department may request the grant recipient to repay such grant and any
4 remaining portion of the grant in the possession of the grant recipient
5 to the department.

6 (b) If the department determines that a grant recipient falsified
7 any information provided in the application process, the department may
8 request the grant recipient to repay any or all of the grant disbursed to
9 the grant recipient.

10 (2) A grant recipient that receives a request to repay a grant
11 pursuant to subsection (1) of this section may appeal the decision, and
12 the appeal shall be in accordance with the Administrative Procedure Act.

13 (3) Any money received under this section shall be remitted to the
14 State Treasurer for credit to the Child Care Capacity Building and
15 Workforce Cash Fund.

16 Sec. 9. The department shall submit a report to the Legislature
17 electronically on July 1, 2025, and each July 1 thereafter. Each report
18 shall include the following:

19 (1) For each grant awarded under the Child Care Capacity Building
20 and Workforce Grant Program since the effective date of this act for the
21 first such report and since the most recent report under this section for
22 each subsequent report:

23 (a) The name of the grant recipient;

24 (b) The amount of the grant;

25 (c) The reason the grant was requested; and

26 (d) The number, age, and county location of any children served
27 through a valid use of a grant described under section 6 of this act;

28 (2) The total amount of money awarded as grants and the total number
29 of children served under subdivision (1) of this section;

30 (3) A compilation of ages and county locations of all children
31 served through a valid use of a grant described under section 6 of this

1 act;

2 (4) Administrative costs of the department to administer the Child
3 Care Capacity Building and Workforce Grant Program; and

4 (5) Any other information the department deems relevant to the Child
5 Care Capacity Building and Workforce Grant Program.

6 Sec. 10. (1) The Family Child Care Home Grant Program is created
7 and shall be administered by the department.

8 (2) The department shall provide grants for new and existing
9 licensed family child care home programs in residential and
10 nonresidential facilities and to create regional facilitator hubs in
11 order to provide administrative and technical support to new and existing
12 licensed family child care home programs in residential and
13 nonresidential facilities.

14 (3) Any licensed child care provider, nonprofit organization, for-
15 profit organization, community foundation, school, or regional
16 facilitator hub or any other entity specified in rules and regulations
17 adopted and promulgated by the department may apply for a grant under the
18 Family Child Care Home Grant Program.

19 (4) A grant recipient under the Family Child Care Home Grant Program
20 shall only use the grant to provide financial or other support to:

21 (a) An existing licensed family child care program in a residential
22 or nonresidential building that is licensed to serve up to twelve
23 children of mixed ages;

24 (b) Create a new licensed family child care home program in a
25 residential or nonresidential building that is licensed to serve up to
26 twelve children of mixed ages; or

27 (c) Regional facilitator hubs that will provide administrative and
28 technical support to family child care home programs.

29 Sec. 11. The department shall submit a report to the Legislature
30 electronically on July 1, 2025, and each July 1 thereafter. Each report
31 shall include the following:

1 (1) For each grant awarded under the Family Child Care Home Grant
2 Program since the effective date of this act for the first such report
3 and since the most recent report under this section for each subsequent
4 report:

5 (a) The name of the grant recipient;

6 (b) The amount of the grant;

7 (c) The reason the grant was requested and how the money was used by
8 the grant recipient; and

9 (d) The number, age, and county location of any children served
10 through a valid use of a grant described under section 10 of this act;

11 (2) The total amount of money awarded as grants and the total number
12 of children served under subdivision (1) of this section;

13 (3) A compilation of ages and county locations of all children
14 served through a valid use of a grant described under section 10 of this
15 act;

16 (4) Administrative costs of the department to administer the Family
17 Child Care Home Grant Program; and

18 (5) Any other information the department deems relevant to the
19 Family Child Care Home Grant Program.

20 Sec. 12. (1) The Child Care Capacity Building and Workforce Cash
21 Fund is created. The department shall administer the fund for purposes of
22 the Child Care Capacity Building and Workforce Act. The fund may consist
23 of transfers authorized by the Legislature and any gifts, grants,
24 bequests, or donations to the fund.

25 (2) Any money in the fund available for investment shall be invested
26 by the state investment officer pursuant to the Nebraska Capital
27 Expansion Act and the Nebraska State Funds Investment Act.

28 (3) The State Treasurer shall transfer five million dollars from the
29 General Fund to the Child Care Capacity Building and Workforce Cash Fund
30 as soon as administratively possible after the effective date of this
31 act, on such dates and in such amounts as directed by the budget

1 administrator of the budget division of the Department of Administrative
2 Services.

3 Sec. 13. The department may adopt and promulgate rules and
4 regulations to administer the Child Care Capacity Building and Workforce
5 Act.

6 2. Renumber the remaining sections accordingly.