AN ACT

Establishing the COVID-19 Child Care Grant Program and the COVID-19 Child Care Fund; providing for duties of the Department of Community and Economic Development; and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the COVID-19 Child Care Grant Program Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Adjusted monthly family income." Gross countable family income per month, minus allowable deductions.

"Annual family income." The adjusted monthly family income,
multiplied by 12 months.
"Caretaker." An individual who has legal custody of a child, a foster parent of a child, a grandparent of a child or an aunt or uncle of a child who lives with and exercises care and control of the child.
"Child care." Care in lieu of parental care for part of a 24-hour day by an eligible provider, as defined in 55 Pa. Code § 3041.13(a) (relating to parent choice), or a relative of the child who provides the care for the child if the relative complies with the applicable State requirements for providing the care.
"COVID-19." The coronavirus disease 2019, an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.
"Department." The Department of Community and Economic Development of the Commonwealth.
"Family." A child for whom subsidized child care is requested and any of the following individuals who live with the child in the same household:
(1) A parent of the child.
(2) A caretaker and the caretaker's spouse.
(3) A biological, adoptive or foster child or stepchild of the parent or caretaker who is under 18 years of age and not emancipated by marriage or by the court.
(4) An unrelated child under the care and control of the parent or caretaker who is under 18 years of age and not emancipated by marriage or by the court.
(5) A child who is:

(i) 18 years of age or older but under 22 years of age;

(ii) enrolled in a high school, general educational development program or postsecondary program leading to a degree, diploma or certificate; and

(iii) wholly or partially dependent upon the income of the parent or caretaker or spouse of the parent or caretaker.

"FPIG." The Federal poverty income guidelines, which are the income levels published annually in the Federal Register by the United States Department of Health and Human Services.

"Fund." The COVID-19 Child Care Fund established under section 4.

"Income." Includes the following:

(1) Earned income, including gross wages from work, cash and in-kind payments received by an individual in exchange for services and income from self-employment.

(2) Unearned income, including cash and contributions received by an individual for which the individual does not provide a service.

(3) Unearned benefits received periodically by an individual, such as unemployment compensation, workers' compensation or retirement benefits.

"Parent." A biological or adoptive mother or father, stepmother or stepfather of a child who exercises care and control of the child for whom subsidy is requested.

"Proclamation of disaster emergency." The proclamation of disaster emergency issued by the Governor on March 6, 2020, published in 50 Pa.B. 1644 (March 21, 2020), and any renewal of
the state of disaster emergency.

"Program." The COVID-19 Child Care Grant Program established under section 3.

Section 3. COVID-19 Child Care Grant Program.

(a) Establishment.--The COVID-19 Child Care Grant Program is established within the department.

(b) Duties of department.--The department shall provide grants under the program in accordance with this act to reimburse parents or caretakers for child care expenses incurred as a result of COVID-19 as identified in the proclamation of disaster emergency.

Section 4. COVID-19 Child Care Fund.

(a) Establishment.--The COVID-19 Child Care Fund is established as a special fund in the State Treasury.

(b) Use of fund.--Money appropriated under section 12 shall be deposited into the fund to be used exclusively by the department to award grants to parents or caretakers under the program.

Section 5. Grant application forms.

(a) Development.--The department shall develop a grant application form for parents or caretakers to apply for a grant under the program.

(b) Contents.--At minimum, the grant application form shall include the following information:

(1) The name, address, contact information and annual family income of the applicant.

(2) The name, age and child care provider for each child of the applicant.

(3) The current cost of child care required and paid by the applicant.
(4) The amount of grant money requested under the
program.

(5) Any other information that the department deems
necessary and appropriate.

(c) Submission.--A parent or caretaker must submit the grant
application form required under this section to the department
in the manner prescribed to be eligible for a grant under the
program.

Section 6. Eligibility.

Grant applications shall be open to all parents or caretakers
with annual family income greater than 200% of the FPIG but less
than 400% of the FPIG.

Section 7. Applicability.

This act shall apply to:

(1) Child care costs for a child from the birth of the
child until the day prior to the date of the child's 14th
birthday.

(2) At the discretion of the department, child care
costs for a child with a disability through 18 years of age.

Section 8. Award of grants.

(a) Review of grants.--Not later than 20 days after receipt
of the grant application form under section 5, the department
shall review the grant application form and determine whether to
award a grant to the applicant under the program and, if so, the
amount of grant money to be awarded.

(b) Consideration.--In determining the amount of grant money
to be awarded to the applicant by the department, priority shall
be given to applicants with gross annual family income greater
than 200% of the FPIG but less than 300% of the FPIG.

(c) Notice.--After conducting a review of the grant
application under subsection (a), the department shall provide
written notice to the applicant of the award or denial of the
grant under the program. The following shall apply:

(1) Notice of the award of a grant under the program
shall include the amount of the grant money awarded and all
conditions or restrictions on the use of the grant money.

(2) Notice of the denial of all or part of the grant
money requested under the program on the grant application
under subsection (a) shall include the reasons for full or
partial denial.

Section 9. Guidelines.

The department may promulgate guidelines for the
implementation and administration of this act.

Section 10. Public notice.

(a) Availability of grants.--The department shall provide
information regarding the availability of grants under the
program on the publicly accessible Internet website of the
department.

(b) Amount of grant money awarded.--Following the
termination or expiration of the proclamation of disaster
emergency, the department shall post the amount of grant money
awarded on the publicly accessible Internet website of the
department.

Section 11. Limitation on award of grants.

Subject to the availability of funding, a grant to an
applicant under the program shall not exceed $750 per month, per
child.

Section 12. Appropriation.

The sum of $100,000,000 of the money available to the
Commonwealth under the CARES Act and any additional future
Federal dollars is appropriated to the department for the purpose of awarding grants to applicants under the program.

Section 13. Expiration.

(a) Notice.--Upon the expiration or termination of the proclamation of disaster emergency, the department shall transmit notice of the expiration or termination to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

(b) Authority.--The authority of the department to award grants under the program shall expire three months after the publication of the notice required in subsection (a).

Section 14. Effective date.

This act shall take effect in 30 days.