
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2810 Session of
2020

INTRODUCED BY HANBIDGE, HILL-EVANS, T. DAVIS, SHUSTERMAN,
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DONATUCCI, FRANKEL, STEPHENS, DELLOSO, KIRKLAND, HOWARD,
WEBSTER, KOSIEROWSKI AND O'MARA, SEPTEMBER 1, 2020

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, SEPTEMBER 1, 2020

AN ACT

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

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

7 Section 1. Short title.

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

10 Section 2. Definitions.

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

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

16 "Annual family income." The adjusted monthly family income,

1 multiplied by 12 months.

2 "CARES Act." The Coronavirus Aid, Relief, and Economic
3 Security Act (Public Law 116-136, 134 Stat. 281).

4 "Caretaker." An individual who has legal custody of a child,
5 a foster parent of a child, a grandparent of a child or an aunt
6 or uncle of a child who lives with and exercises care and
7 control of the child.

8 "Child care." Care in lieu of parental care for part of a
9 24-hour day by an eligible provider, as defined in 55 Pa. Code §
10 3041.13(a) (relating to parent choice), or a relative of the
11 child who provides the care for the child if the relative
12 complies with the applicable State requirements for providing
13 the care.

14 "COVID-19." The coronavirus disease 2019, an infectious
15 disease caused by severe acute respiratory syndrome coronavirus
16 2 that was first identified during December 2019 in Wuhan,
17 China.

18 "Department." The Department of Community and Economic
19 Development of the Commonwealth.

20 "Family." A child for whom subsidized child care is
21 requested and any of the following individuals who live with the
22 child in the same household:

23 (1) A parent of the child.

24 (2) A caretaker and the caretaker's spouse.

25 (3) A biological, adoptive or foster child or stepchild
26 of the parent or caretaker who is under 18 years of age and
27 not emancipated by marriage or by the court.

28 (4) An unrelated child under the care and control of the
29 parent or caretaker who is under 18 years of age and not
30 emancipated by marriage or by the court.

1 (5) A child who is:

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

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

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

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

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

15 "Income." Includes the following:

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

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

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

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

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

1 the state of disaster emergency.

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

4 Section 3. COVID-19 Child Care Grant Program.

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

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

12 Section 4. COVID-19 Child Care Fund.

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

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

19 Section 5. Grant application forms.

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

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

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

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

29 (3) The current cost of child care required and paid by
30 the applicant.

1 (4) The amount of grant money requested under the
2 program.

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

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

9 Section 6. Eligibility.

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

13 Section 7. Applicability.

14 This act shall apply to:

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

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

20 Section 8. Award of grants.

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

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

30 (c) Notice.--After conducting a review of the grant

1 application under subsection (a), the department shall provide
2 written notice to the applicant of the award or denial of the
3 grant under the program. The following shall apply:

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

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

11 Section 9. Guidelines.

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

14 Section 10. Public notice.

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

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

24 Section 11. Limitation on award of grants.

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

28 Section 12. Appropriation.

29 The sum of \$100,000,000 of the money available to the
30 Commonwealth under the CARES Act and any additional future

1 Federal dollars is appropriated to the department for the
2 purpose of awarding grants to applicants under the program.

3 Section 13. Expiration.

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

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

12 Section 14. Effective date.

13 This act shall take effect in 30 days.