

1 AN ACT relating to the Child Care Assistance Program.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 199.894 is amended to read as follows:

4 As used in KRS 199.892 to 199.896, unless the context otherwise requires:

5 (1) "Cabinet" means the Cabinet for Health and Family Services;

6 (2) ~~["Secretary" means secretary for health and family services;~~

7 ~~(3) ]~~ **"Child Care and Development Fund" has the same meaning as in 45 C.F.R. sec.**

8 **98.2;**

9 **(3) "Child Care Assistance Program" means Kentucky's child-care subsidy program**  
 10 **providing families with the financial resources to find and afford quality child**  
 11 **care;**

12 **(4)** "Child-care center" means any child-care center that provides full- or part-time  
 13 care, day or night, to four (4) or more children in a nonresidential setting who are  
 14 not the children, grandchildren, nieces, nephews, or children in legal custody of the  
 15 operator. "Child-care center" shall not include any child-care facility operated by a  
 16 religious organization while religious services are being conducted, or a youth  
 17 development agency. For the purposes of this section, "youth development agency"  
 18 means a program with tax-exempt status under 26 U.S.C. sec. 501(c)(3), which  
 19 operates continuously throughout the year as an outside-school-hours center for  
 20 youth who are six (6) years of age or older, and for which there are no fee or  
 21 scheduled-care arrangements with the parent or guardian of the youth served;

22 ~~**(5)**~~ ~~["Department" means the Department for Community Based Services;~~ ~~and]~~

23 ~~**(6)**~~ ~~["Family child-care home" means a private home that is the primary residence~~  
 24 ~~of an individual who provides full or part-time care day or night for six (6) or fewer~~  
 25 ~~children who are not the children, siblings, stepchildren, grandchildren, nieces,~~  
 26 ~~nephews, or children in legal custody of the provider;~~ **and**

27 **(7) "Secretary" means the secretary of the cabinet.**

1           ➔SECTION 2. A NEW SECTION OF KRS 199.892 TO 199.896 IS CREATED  
2 TO READ AS FOLLOWS:

- 3       *(1) Applicants for the Child Care Assistance Program operated by the cabinet*  
4       *utilizing federal funds under the Child Care and Development Fund, in*  
5       *accordance with 45 C.F.R. sec. 98.2, shall have gross income at or below two*  
6       *hundred percent (200%) of the federal poverty level to be eligible at application*  
7       *and at recertification. Income guidelines do not apply to cases approved by the*  
8       *Division of Protection and Permanency within the cabinet.*
- 9       *(2) The cabinet shall not implement an individual or a family copayment*  
10       *requirement as a condition for an individual or a family to participate in the*  
11       *Child Care Assistance Program.*
- 12       *(3) The cabinet shall promulgate administrative regulations in accordance with KRS*  
13       *Chapter 13A to implement this section.*