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Office

H.B. 610
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Johnson

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SUMMARY

- Creates the Child Care Cred Program in the Department of Children and Youth, a program that allows the costs of child care to be shared equally by participating employees, their employers, and the Department.
- Authorizes a participating employer to select one or more of its employees to participate in the program.
- Requires each participating employee to choose a child care provider for the employee's child, but specifies that the chosen provider must hold a license issued by the state or be certified by a county department of job and family services.
- Requires the Department to perform all administrative activities for the program.
- Appropriates \$10 million in FY 2025 from the GRF for the Child Care Cred Program.

DETAILED ANALYSIS

Child Care Cred Program

H.B. 610 creates the Child Care Cred Program in the Department of Children and Youth.¹ Under the program, the costs of child care are shared equally by participating employees, their employers, and, subject to available funds, the Department. The bill specifies that the program has three goals – enabling employers to attract and retain talent; assisting employees with child care costs; and sustaining the businesses of child care providers.

¹ R.C. 5180.41.

Cost sharing

An employee's child care costs are to be shared equally by the employee, the employee's employer, and the Department. An employer, however, may agree to also contribute some or all of the employee's share.²

Eligibility conditions

The bill establishes the following conditions on program participation.³ In the case of an employee, the employee must reside in Ohio and have been selected for participation by the employee's employer.

In the case of an employer, the employer must be located in Ohio and have selected one or more of its employees to participate in the program.

With respect to a child care provider, the provider must hold a child care center or family child care home license issued by the state or be certified as an in-home aide by a county department of job and family services.

Application

Each employee and employer seeking to participate in the program must together submit an application to the Department in a manner prescribed by the Department. The Department must review each application as soon as practicable after it is received and must determine if the employee and employer are both eligible to participate.⁴ Note that an eligibility determination remains valid as long as the employee, employer, and child care provider continue to satisfy the bill's eligibility conditions.⁵

Program administration

After the Department determines an employee and employer are both eligible and each agrees to participate in the program, the bill requires or authorizes the following actions:

- The employee, with the Department's assistance, must select a child care provider for the employee's child and must enroll the child with the selected provider. An employee may opt to choose his or her existing provider so long as that provider is licensed or certified as required by the bill.
- The Department may require the employee, employer, and child care provider to each sign a memorandum of understanding with the Department.

² R.C. 5180.41(E)(2).

³ R.C. 5180.41(C).

⁴ R.C. 5180.41(D).

⁵ R.C. 5180.41(F).

- The Department is responsible for coordinating and performing all administrative activities associated with the sharing of child care costs and making payments to child care providers.⁶

Fraud, misrepresentation, or deception

If the Department finds that an employee or employer has committed fraud, misrepresentation, or deception in applying to participate, or in participating, in the program, the employee or employer is permanently ineligible to participate, or to continue to participate, in the program.⁷

Rulemaking

The bill authorizes the Department to adopt rules as necessary to implement its provisions.⁸ If the Department adopts any rules for the program, it must do so in accordance with Ohio's Administrative Procedure Act.⁹ The bill also specifies that a regulatory restriction contained in such a rule is not subject to the two-for-one rule, effective until July 1, 2025, or the statutory cap, effective beginning July 1, 2025, on the number of regulatory restrictions that the Department may have in place.¹⁰

Appropriation

The bill appropriates \$10 million in FY 2025 in GRF line item 830414, Child Care Cred Program, under the Department of Children and Youth.¹¹

HISTORY

Action	Date
Introduced	05-22-24

ANHB0610IN-135/ts

⁶ R.C. 5180.41(E).

⁷ R.C. 5180.41(G).

⁸ R.C. 5180.41(H)(1).

⁹ R.C. Chapter 119, not in the bill.

¹⁰ R.C. 5180.41(H)(2). See also R.C. 121.95 to 121.953, not in the bill.

¹¹ Section 3.