

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 610

Representative Johnson

A BILL

To enact section 5180.41 of the Revised Code to 1
establish the Child Care Cred Program and to 2
make an appropriation. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5180.41 of the Revised Code be 4
enacted to read as follows: 5

Sec. 5180.41. (A) As used in this section, "child care" 6
has the same meaning as in section 5104.01 of the Revised Code. 7

(B) The child care cred program is created in the 8
department of children and youth, under which the costs of child 9
care are shared equally by participating employees, their 10
employers, and, subject to available funds, the department. The 11
program has all of the following goals: enabling employers to 12
attract and retain talent; assisting employees with child care 13
costs; and sustaining the businesses of child care providers. 14

(C) To be eligible to participate in the program, all of 15
the following apply: 16

(1) In the case of an employee, the employee shall reside 17
in this state and have been selected for participation by the 18

employee's employer. 19

(2) In the case of an employer, the employer shall be 20
located in this state and have selected one or more of its 21
employees to participate in the program. 22

(3) In the case of a child care provider, the provider 23
shall either hold a license issued under Chapter 5104. of the 24
Revised Code or be certified by a county department of job and 25
family services under section 5104.12 of the Revised Code. 26

(D) Each employee and employer seeking to participate in 27
the program shall together submit an application to the 28
department in a manner prescribed by the department. The 29
department shall review each application as soon as practicable 30
after it is received and shall determine if the employee and 31
employer are both eligible to participate. 32

(E) After an employee and employer are both determined 33
eligible and agree to participate in the program, all of the 34
following apply: 35

(1) The employee, with the assistance of the department, 36
shall select a child care provider for the employee's child and 37
shall enroll the child with the provider. An employee may opt to 38
select the employee's existing child care provider so long as 39
that provider is licensed or certified as described in this 40
section. 41

(2) In addition to the employer's share, the employer may 42
agree to contribute some or all of an employee's share of child 43
care costs. 44

(3) As a condition of participation, the department may 45
require the employee, employer, and child care provider to each 46
sign a memorandum of understanding with the department. 47

(4) 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. 48
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(F) An eligibility determination made under division (D) of this section remains valid as long as the employee, employer, and child care provider continue to satisfy the eligibility conditions described in division (C) of this section. 52
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(G) 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 continue to participate, in the program. 56
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(H) (1) The department may adopt rules as necessary to implement this section. Any rules shall be adopted in accordance with Chapter 119. of the Revised Code. 61
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(2) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under division (H) (1) of this section is not subject to sections 121.95 to 121.953 of the Revised Code. 64
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Section 2. All items in this act are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all operating appropriations made in this act, those in the first column are for fiscal year 2024 and those in the second column are for fiscal year 2025. The operating appropriations made in this act are in addition to any other operating appropriations made for these fiscal years. 68
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Section 3. 75

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A		KID DEPARTMENT OF CHILDREN AND YOUTH		
B		General Revenue Fund		
C	GRF 830414	Child Care Cred Program	\$0	\$10,000,000
D	TOTAL GRF	General Revenue Fund	\$0	\$10,000,000
E	TOTAL ALL BUDGET	FUND GROUPS	\$0	\$10,000,000

TRI-SHARE CHILD CARE 77

The foregoing appropriation item 830414, Child Care Cred 78
Program, shall be used for the Child Care Cred Program 79
established in section 5180.41 of the Revised Code. 80

Section 4. Within the limits set forth in this act, the 81
Director of Budget and Management shall establish accounts 82
indicating the source and amount of funds for each appropriation 83
made in this act, and shall determine the manner in which 84
appropriation accounts shall be maintained. Expenditures from 85
operating appropriations contained in this act shall be 86
accounted for as though made in, and are subject to all 87
applicable provisions of, H.B. 33 of the 135th General Assembly. 88