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HOUSE BILL NO. 1375

Offered January 15, 2024

A *BILL to amend and reenact §§ 22.1-289.02 and 22.1-289.09 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 22.1-289.05:1, by adding in Article 2 of Chapter 14.1 of Title 22.1 sections numbered 22.1-289.09:1 through 22.1-289.09:10, and by adding in Chapter 14.1 of Title 22.1 articles numbered 2.1 and 2.2, consisting of sections numbered 22.1-289.09:11 through 22.1-289.09:15; and to repeal § 22.1-289.08:1 of the Code of Virginia, relating to early childhood care and education; publicly funded providers.*

Patrons—Gardner, Anthony, Bennett-Parker, Callsen, Clark, Cole, Glass, Henson, Krizek, McQuinn, Rasoul, Reaser, Seibold, Simonds and Thomas

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.08:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-289.05:1 as follows:

§ 22.1-289.05:1. Mixed Delivery Grant Program.

A. *With such funds as may be appropriated for such purpose pursuant to the general appropriation act, there is hereby established the Mixed Delivery Grant Program (the Program) for the purpose of awarding grants on a competitive basis to local public entities that enter into partnerships with local private early childhood care and education entities and other community organizations, as applicable, to provide, under the direction and leadership of a lead agency identified in the grant proposal, high-quality care and education, either part time or full time, for at-risk infants, toddlers, and preschool-age children who reside in the locality. The Program shall be administered by the Virginia Early Childhood Foundation (the Foundation) in partnership with the Department.*

B. *Consistent with any provisions relating to the Program in the general appropriation act, the Foundation and the Department shall establish policies, procedures, and standards for the Program.*

§ 22.1-289.08:1. Child Care Subsidy Program established; Overpayment Fund.

A. *With such funds as may be appropriated for such purpose pursuant to the general appropriation act, there is hereby established the Child Care Subsidy Program (the Program) for the purpose of assisting families who meet certain eligibility criteria with the cost of child care provided by approved vendors. The Program shall be overseen by the Department. The Department may contract with state and local agencies to administer the Program. The Department and the Board, as applicable, shall establish rules, regulations, policies, procedures, and standards for the Program.*

B. *There is hereby created in the state treasury a special nonreverting fund to be known as the Child Care Subsidy Program Overpayment Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All overpayment moneys collected or recovered by the Department or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, shall be paid into the state treasury and credited to the Fund, except as prohibited by federal law or regulation. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Superintendent.*