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HOUSE BILL NO. 1612**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on January 20, 2025)

(Patron Prior to Substitute—Delegate Hernandez)

A BILL to direct the Board of Education to amend its regulations relating to the maximum reimbursement rate for Child Care Subsidy Program providers; review; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Board of Education (the Board) shall amend its regulations set forth in 8VAC20-790-80 of the Virginia Administrative Code to permit payment over the maximum reimbursable rate for any vendor participating in the Child Care Subsidy Program, established pursuant to 8VAC20-790 of the Virginia Administrative Code, that provides child care outside of normal business hours, provided, however, that the maximum reimbursable rate for any such vendor may not exceed twice the rate for child care provided within normal business hours. The Board's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board shall provide an opportunity for public comment on the regulations prior to the adoption.*

2. *That the provisions of the first enactment of this act shall become effective on July 1, 2026.*

3. *That the Commission on Early Childhood Care and Education (the Commission) established pursuant to § 2.2-208.1 of the Code of Virginia shall review statewide demand for child care during nontraditional hours and make recommendations on setting maximum reimbursable rates for vendors that participate in the Child Care Subsidy Program and provide child care during such hours to address the needs of working families that rely on nontraditional child care while minimizing the need for additional general funds. The Commission shall submit its recommendations no later than October 1, 2025, as part of the annual recommendations that it is required to submit pursuant to subsection D of § 2.2-208.1 of the Code of Virginia.*

HOUSE SUBSTITUTE

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