

REFERENCE TITLE: child care waiting list; appropriation..

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2503

Introduced by
Representatives Larkin, Andrade, Velasquez, Wheeler: Gonzales, Hale

AN ACT

AMENDING SECTION 46-803, ARIZONA REVISED STATUTES; MAKING AN APPROPRIATION;
RELATING TO CHILD CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 46-803, Arizona Revised Statutes, is amended to read:

46-803. Eligibility for child care assistance

A. The department shall provide child care assistance to eligible families who are attempting to achieve independence from the cash assistance program and who need child care assistance in support of and as specified in their personal responsibility agreement pursuant to chapters 1 and 2 of this title.

B. The department shall provide child care assistance to eligible families who are transitioning off of cash assistance due to increased earnings or child support income in order to accept or maintain employment. Eligible families must request this assistance within six months after the cash assistance case closure. Child care assistance may be provided for up to twenty-four months after the case closure and shall cease whenever the family income exceeds one hundred sixty-five ~~per-cent~~ PERCENT of the federal poverty level.

C. The department shall provide child care assistance to eligible families who are diverted from cash assistance pursuant to section 46-298 in order to obtain or maintain employment. Child care assistance may be provided for up to twenty-four months after the case closure and shall cease whenever the family income exceeds one hundred sixty-five ~~per-cent~~ PERCENT of the federal poverty level.

D. The department may provide child care assistance to support eligible families with incomes of one hundred sixty-five ~~per-cent~~ PERCENT or less of the federal poverty level to accept or maintain employment. Priority for this child care assistance shall be given to families with incomes of one hundred ~~per-cent~~ PERCENT or less of the federal poverty level.

E. The department may provide child care assistance to families referred by the department of child safety and to children in foster care pursuant to title 8, chapter 4 to support child protection.

F. The department may provide child care assistance to special circumstance families whose incomes are one hundred sixty-five ~~per-cent~~ PERCENT or less of the federal poverty level and who are unable to provide child care for a portion of a twenty-four hour day due to a crisis situation of domestic violence or homelessness, or a physical, mental, emotional or medical condition, participation in a drug treatment or drug rehabilitation program or court ordered community restitution. Priority for this child care assistance shall be given to families with incomes of one hundred ~~per-cent~~ PERCENT or less of the federal poverty level.

G. In lieu of the employment activity required in subsection B, C or D of this section, the department may allow eligible families with teenaged custodial parents under twenty years of age to complete a high school diploma or its equivalent or engage in remedial education activities reasonably related to employment goals.

1 H. The department may provide supplemental child care assistance for
 2 department approved education and training activities if the eligible parent,
 3 legal guardian or caretaker relative is working at least a monthly average of
 4 twenty hours per week and this education and training are reasonably related
 5 to employment goals. The eligible parent, legal guardian or caretaker
 6 relative must demonstrate satisfactory progress in the education or training
 7 activity.

8 ~~I. Beginning March 12, 2003, the department shall establish waiting~~
 9 ~~lists for child care assistance and prioritize child care assistance for~~
 10 ~~different eligibility categories in order to manage within appropriated and~~
 11 ~~available monies. Priority of children on the waiting list shall start with~~
 12 ~~those families at one hundred per cent of the federal poverty level and~~
 13 ~~continue with each successive ten per cent increase in the federal poverty~~
 14 ~~level until the maximum allowable federal poverty level of one hundred~~
 15 ~~sixty-five per cent. Priority shall be given regardless of time spent on the~~
 16 ~~waiting list.~~

17 ~~J.~~ I. The department shall establish criteria for denying, reducing
 18 or terminating child care assistance that include:

19 1. Whether there is a parent, legal guardian or caretaker relative
 20 available to care for the child.

21 2. Financial or programmatic eligibility changes or ineligibility.

22 3. Failure to cooperate with the requirements of the department to
 23 determine or redetermine eligibility.

24 4. Hours of child care need that fall within the child's compulsory
 25 academic school hours.

26 5. Reasonably accessible and available publicly funded early childhood
 27 education programs.

28 6. Whether an otherwise eligible family has been sanctioned and cash
 29 assistance has been terminated pursuant to chapter 2 of this title.

30 7. Other circumstances of a similar nature.

31 8. Whether sufficient monies exist for the assistance.

32 ~~K.~~ J. Families receiving child care assistance under subsection D or
 33 F of this section are also subject to the following requirements for that
 34 child care assistance:

35 1. Each child is limited to no more than sixty cumulative months of
 36 child care assistance. The department may provide an extension if the family
 37 can prove that the family is making efforts to improve skills and move
 38 towards self-sufficiency.

39 2. Families are limited to no more than six children receiving child
 40 care assistance.

41 3. Copayments shall be imposed for all children receiving child care
 42 assistance. Copayments for each child may be higher for the first child in
 43 child care than for additional children in child care.

44 ~~L.~~ K. The department shall review each case at least once a year to
 45 evaluate eligibility for child care assistance.

1 ~~M.~~ L. The department shall report on December 31 and June 30 of each
2 year to the joint legislative budget committee the total number of families
3 who applied for child care assistance and the total number of families who
4 were denied assistance under this section because the parents, legal
5 guardians or caretaker relatives who applied for assistance were not citizens
6 or legal residents of the United States or were not otherwise lawfully
7 present in the United States.

8 ~~N.~~ M. This section shall be enforced without regard to race,
9 religion, gender, ethnicity or national origin.

10 ~~O.~~ N. The department shall refer all child care subsidy recipients to
11 child support enforcement and to local workforce services and provide
12 information on the earned income tax credit.

13 Sec. 2. Appropriation; child care costs

14 The sum of \$79,400,000 is appropriated from the state general fund in
15 fiscal year 2015-2016 to the department of economic security for child care
16 assistance costs pursuant to section 46-803, Arizona Revised Statutes, to
17 eliminate the current waiting list and to provide child care assistance to
18 eligible families with family incomes up to one hundred sixty-five percent of
19 the federal poverty level.