

General Assembly

Committee Bill No. 5003

January Session, 2025

LCO No. 5268



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by: (KID)

AN ACT CONCERNING THE EARLY CHILDHOOD CARE AND EDUCATION FUND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) For the fiscal year ending
- 2 June 30, 2025, after the accounts for the General Fund have been closed
- and the Comptroller has determined the amount of unappropriated
- 4 surplus, if any, in said fund, the amount of such surplus to a maximum
- 5 of one hundred million dollars shall be transferred by the Treasurer to
- 6 the Early Childhood Care and Education Fund established pursuant to
- 7 section 10-511 of the general statutes, as amended by this act.
- 8 (b) For the fiscal year ending June 30, 2026, after the accounts for the
- 9 General Fund have been closed and the Comptroller has determined the
- amount of unappropriated surplus, if any, in said fund, the amount of
- such surplus to a maximum of one hundred million dollars shall be
- 12 transferred by the Treasurer to the Early Childhood Care and Education
- 13 Fund established pursuant to section 10-511 of the general statutes, as
- amended by this act.
- 15 (c) Any amount transferred pursuant to this section shall be deducted

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- in determining the amount of unappropriated surplus to be transferred
- 17 to the Budget Reserve Fund pursuant to subsection (b) of section 4-30a
- 18 of the general statutes.

- Sec. 2. Section 10-511 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):
 - (a) There is established the Early Childhood Care and Education Fund. Said fund may contain any moneys required or permitted by law to be deposited in the fund and shall receive and hold all payments and deposits for contributions intended for said fund, as well as gifts, bequests, endowments or federal, state or local grants and any other funds from any public or private source and all earnings until disbursed in accordance with the provisions of this section.
 - (b) The amounts on deposit in said fund shall not constitute property of the state and said fund shall not be construed to be a department, institution or agency of the state. Amounts on deposit in said fund shall not be commingled with state funds and the state shall have no claim to or against, or any interest in, such deposits. Any contract entered into by or any obligation of said fund shall not constitute a debt or obligation of the state and the state shall have no obligation to any person on account of said fund and all amounts obligated to be paid from said fund shall be limited to amounts available for such obligation on deposit in said fund. Said fund shall retain at the end of any fiscal year an amount not less than ten per cent of any transfers or deposits in said fund during such fiscal year. Said fund shall continue in existence as long as it holds any deposits or has any obligations and until its existence is terminated by law.
 - (c) The Treasurer shall invest the amounts on deposit in said fund in a manner reasonable and appropriate to achieve the objectives of said fund, exercising the discretion and care of a prudent person in similar circumstances with similar objectives. The Treasurer shall give due consideration to rate of return, risk, term or maturity, diversification of the total portfolio within said fund, liquidity, the projected

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- disbursements and expenditures and the expected payments, deposits,
- 49 contributions and gifts to be received. The Treasurer shall not require
- said fund to invest directly in obligations of the state or any political
- 51 subdivision of the state or in any investment or other fund administered
- 52 by the Treasurer. The assets of said fund shall be continuously invested
- and reinvested in a manner consistent with the objectives of said fund
- 54 until disbursed by the Comptroller in accordance with the provisions of
- 55 this section.
- 56 (d) The Treasurer, on behalf of said fund and for purposes of said fund, may:
- 58 (1) Receive and invest moneys in said fund in any instruments, 59 obligations, securities or property in accordance with this section;
- 60 (2) Enter into one or more contractual agreements, including
- 61 contracts for legal, actuarial, accounting, custodial, advisory,
- 62 management, administrative, advertising, marketing and consulting
- 63 services for said fund and pay for such services from the assets of said
- 64 fund;
- 65 (3) Procure insurance in connection with said fund's property, assets,
- 66 activities or deposits to said fund;
- 67 (4) Apply for and accept gifts, grants or donations from public or
- 68 private sources to enable said fund to carry out its objectives;
- 69 (5) Adopt regulations in accordance with chapter 54 for purposes of
- 70 this section;
- 71 (6) Sue and be sued;
- 72 (7) Establish one or more accounts within said fund; and
- 73 (8) Take any other action necessary to carry out the purposes of this
- section and incidental to the duties imposed on the Treasurer pursuant
- 75 to this section.

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(e) The amounts on deposit in said fund shall be used for the purposes of supporting early childhood education in, and child care needs of, the state, including expansion of the child care subsidy program, established pursuant to section 17b-749, as amended by this act, salary increases for early childhood educators, subsidies for health care plans for employees of early care and education programs, in accordance with section 5 of this act, and providing administrative and technical assistance for the implementation of the competitive grant program to provide grants for capital expenses related to the construction and renovation of early childhood education and child care facilities established pursuant to section 8 of this act, and shall not be expended for any other purpose.

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88 Sec. 3. (Effective from passage) (a) The Commissioner of Early 89 Childhood shall develop a report on the cost to increase provider 90 payment rates under the child care subsidy program, established 91 pursuant to section 17b-749 of the general statutes, as amended by this 92 act, to cover the cost of care, as described in the Connecticut Narrow 93 Cost Analysis prepared for the Office of Early Childhood in June 2024, 94 (1) using the current registry salary levels noted within the analysis and 95 to provide bonuses of ten per cent to programs operating in a child care 96 desert, as determined by the office, and twenty-five per cent to 97 programs accredited by the National Association for the Education of 98 Young Children or the National Association for Family Child Care, and 99 (2) using the workforce compensation schedule mid-career levels noted 100 within the analysis and to provide bonuses of ten per cent to programs 101 operating in a child care desert, as determined by the office, and twenty-102 five per cent to programs accredited by the National Association for the 103 Education of Young Children or the National Association for Family 104 Child Care. Such report shall include a proposal for an implementation 105 plan and timeline that phases in such increased provider payment rates 106 over a five-year period, commencing in the fiscal year ending June 30, 107 2026.

(b) Not later than September 1, 2025, the commissioner shall submit such report on its findings and recommendations to the Early

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- 110 Childhood Care and Education Fund Advisory Commission,
- 111 established pursuant to section 10-511a of the general statutes, as
- amended by this act, and the joint standing committees of the General
- 113 Assembly having cognizance of matters relating to children, education,
- finance, revenue and bonding and appropriations and the budgets of
- state agencies, in accordance with the provisions of section 11-4a of the
- 116 general statutes.
- 117 Sec. 4. Subsection (c) of section 10-511a of the general statutes is
- repealed and the following is substituted in lieu thereof (Effective July 1,
- 119 2025):

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- (c) The commission shall:
- 121 (1) Not later than January 1, 2026, and annually thereafter, submit a
- report, in accordance with the provisions of section 11-4a, to the joint
- standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies,
- 124 matters relating to appropriations and the budgets of state agencies,
- finance, revenue and bonding, education and children, on the financial
- health and status of the Early Childhood Care and Education Fund, including, but not limited to, (A) the amounts on deposit in said fund,
- including, but not limited to, (A) the amounts on deposit in said fund, (B) disbursements made or expected to be made from said fund for the
- applicable fiscal year, (C) the rates of return on investments made by the
- 130 Treasurer pursuant to subsection (c) of this section, (D) a statement as to
- the sufficiency of the amounts on deposit in said fund to achieve the
- purposes of said fund, and (E) any recommendations for policy changes
- and amendments to the general statutes necessary to further the
- purposes of said fund, including recommendations for implementing
- the findings in the report developed pursuant to section 3 of this act to
- increase provider payment rates under the child care subsidy program,
- established pursuant to section 17b-749, as amended by this act;
- 138 (2) Not later than January 1, 2026, submit a five-year plan, in 139 accordance with the provisions of section 11-4a, to the joint standing
- 140 committees of the General Assembly having cognizance of matters
- 141 relating to appropriations and the budgets of state agencies, finance,

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- revenue and bonding, education and children, of recommendations of expenditures from said fund that would best support early childhood
- education in, and child care needs of, the state. The commission shall, in
- developing such plan, consider reports on (A) the state of [(A)] (i) early
- childhood care and education in the state, and [(B)] (ii) kindergarten
- readiness in the state, as well as best practices in other states, and (B)
- increasing provider payment rates developed pursuant to section 3 of
- this act under the child care subsidy program, established pursuant to
- 150 section 17b-749, as amended by this act. The commission shall update
- such plan at least annually and submit such updated plan annually to
- 152 said committees; and
- 153 (3) Commencing with the fiscal year ending June 30, 2026, hold a
- public hearing annually on the state of the fund and of early childhood
- 155 education and child care in the state.
- 156 Sec. 5. (*Effective July 1, 2025*) (a) As used in this section:
- 157 (1) "Early care and education program" means a program providing
- child care services, as described in section 19a-77 of the general statutes,
- that is licensed by the Office of Early Childhood;
- 160 (2) "Health benefit plan" has the same meaning as provided in section
- 161 38a-1080 of the general statutes; and
- 162 (3) "Partnership plan" has the same meaning as provided in section 3-
- 163 123aaa of the general statutes.
- 164 (b) For the fiscal year ending June 30, 2026, and each fiscal year
- thereafter, the Comptroller shall establish a program to provide a
- subsidy, within available appropriations, to an individual who (1) opens
- a health savings account, pursuant to Section 223 of the Internal
- Revenue Code of 1986, or any subsequent corresponding internal
- revenue code of the United States, as amended from time to time, or is
- eligible for Medicare and enrolls in a high deductible health plan, and
- 171 (2) is employed by an early care and education program. Such subsidy
- shall be in an amount up to a certain percentage, as specified by the

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Comptroller, of the deductible for the health plan in which such individual is enrolled, minus the amount of any employer contributions to a health savings account or health reimbursement account, and not exceeding an amount specified by the Comptroller. No individual may receive more than one subsidy in any fiscal year pursuant to this section. The Comptroller may work with the provider of an early care and education program that employs such individual to distribute such subsidy.

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(c) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, the Comptroller shall establish a program to provide a subsidy, from any funds appropriated for such purpose, to providers of early care and education programs that provide coverage to its employees and their dependents under a health benefit plan or a partnership plan for such fiscal year or any portion thereof. Such subsidy shall be (1) in an amount of not more than ten per cent of the aggregate premium cost, inclusive of the employee and employer shares of such cost, paid by such provider for coverage under such health benefit plan or partnership plan, divided by the number of employees of such provider who are enrolled in health coverage, and (2) used to offset the employee's share of such premium cost that is deducted from the payroll check of each employee of such provider during any pay period during such fiscal year. The provisions of this subsection shall not apply to any early care and education program provider that provides coverage under a high deductible health plan, as such term is described in subsection (f) of section 38a-520 of the general statutes.

(d) The Comptroller and the Early Childhood Care and Education Fund Advisory Commission, established pursuant to section 10-511a of the general statutes, as amended by this act, shall enter into a memorandum of understanding, in accordance with the provisions of section 4-97b of the general statutes, to allow the Comptroller to utilize the sum of _____ that is appropriated to the Early Childhood Care and Education Fund, established pursuant to section 10-511 of the general statutes, as amended by this act, to implement the provisions of this section.

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Sec. 6. Subsection (b) of section 17b-749 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1,* 2025):

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(b) The commissioner shall establish income standards for applicants and recipients at a level to include a family with gross income up to [fifty] <u>eighty-five</u> per cent of the state-wide median income, except the commissioner: (1) May increase the income level up to the maximum level allowed under federal law, (2) upon the request of the Commissioner of Children and Families, may waive the income standards for adoptive families so that children adopted on or after October 1, 1999, from the Department of Children and Families are eligible for the child care subsidy program, [and] (3) shall establish a two-tiered income eligibility threshold in accordance with 45 CFR 98.21(b), as amended from time to time, and (4) shall permit recipients whose gross income subsequently exceeds eighty-five per cent of the state-wide median income to continue to receive prorated benefits until such recipients' gross income meets or exceeds one hundred per cent of the state median income. The commissioner may adopt regulations in accordance with chapter 54 to establish income criteria and durational requirements for such waiver of income standards.

Sec. 7. (Effective July 1, 2025) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, the Commissioner of Early Childhood shall exempt from the family fee requirement of the child care subsidy program, established pursuant to section 17b-749 of the general statutes, as amended by this act, any person or family who is (1) an active participant in the child care subsidy program, and (2) employed by a licensed early care and education program providing child care services, as described in section 19a-77 of the general statutes.

Sec. 8. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, the Office of Early Childhood shall design and administer a competitive grant program to provide grants for capital expenses related to the construction and renovation of early childhood education and child care facilities. An operator of an

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early care and education program that provides child care services, as described in section 19a-77 of the general statutes, may submit an application for a grant to the office, in accordance with the provisions of subsection (b) of this section.

- (b) On and after July 1, 2025, an operator of an early care and education program may apply, at such time and in such manner as the commissioner prescribes, to the office for a capital grant for the purposes described in subsection (a) of this section. To be eligible to receive a grant under this section, an applicant operator shall (1) demonstrate that it has a need for constructing a new or renovating an existing child care facility, using information requested by the commissioner on a form prescribed by the commissioner, and (2) submit a plan for the expenditure of grant funds received under this section that outlines how such operator will use such funds, including, but not limited to, how the construction or renovation of the child care facility may increase access to child care for families in the community. The commissioner shall give priority to those operators that demonstrate the greatest need for the construction or renovation of a child care facility.
- (c) Each operator of an early care and education program receiving a grant under this section shall submit an annual report, on a form and in a manner prescribed by the commissioner, to the Office of Early Childhood regarding the enrollment and operation of the early care and education program.
- (d) The commissioner may contract with nongovernmental entities, including, but not limited to, nonprofit organizations, lending institutions and technical assistance providers, to carry out the provisions of this section.
- Sec. 9. (NEW) (*Effective July 1, 2025*) There is established an account to be known as the "early care and education program competitive capital grant account" which shall be a capital projects fund. The account shall contain the amounts authorized by the State Bond Commission in accordance with section 10 of this act and any other moneys required by

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law to be deposited in the account. Moneys in the account shall be expended by the Office of Early Childhood for the purposes of the competitive grant program established pursuant to section 8 of this act.

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Sec. 10. (NEW) (Effective July 1, 2025) (a) For the purposes described in subsection (b) of this section, the State Bond Commission shall have the power from time to time to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding in the aggregate one hundred million dollars, provided twenty million dollars of said authorization shall be effective July 1, 2025, twenty million dollars of said authorization shall be effective July 1, 2026, twenty million dollars of said authorization shall be effective July 1, 2027, twenty million dollars of said authorization shall be effective July 1, 2028, and twenty million dollars of said authorization shall be effective July 1, 2029. The amount authorized for the issuance and sale of such bonds in each of the following fiscal years shall not exceed the corresponding amount for each such fiscal year, provided, to the extent the Office of Early Childhood does not provide for the use of all or a portion of such amount in any such fiscal year, such amount not provided for shall be carried forward and added to the authorized amount for the next succeeding fiscal year, and provided further, the costs of issuance and capitalized interest, if any, may be added to the capped amount in each fiscal year, and each of the authorized amounts shall be effective on July first of the fiscal year indicated.

- (b) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection (a) of this section, shall be used by the Office of Early Childhood for the purposes of the competitive grant program established pursuant to section 8 of this act.
- (c) The State Bond Commission shall approve a memorandum of understanding between the Commissioner of Early Childhood and the state, acting by and through the Secretary of the Office of Policy and Management and the Treasurer, providing for the issuance of said bonds for the purposes of the competitive grant program established pursuant to section 8 of this act, including provisions regarding the

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extent to which federal, private or other moneys then available or thereafter to be made available for costs should be added to the proceeds of the bonds authorized pursuant to this section for such project or program. The memorandum of understanding shall be deemed to satisfy the provisions of section 3-20 of the general statutes and the exercise of any right or power granted thereby that is not inconsistent with the provisions of this section.

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(d) All provisions of section 3-20 of the general statutes, or the exercise of any right or power granted thereby, which are not inconsistent with the provisions of this section are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to this section, and temporary notes in anticipation of the money to be derived from the sale of any such bonds so authorized may be issued in accordance with said section 3-20 and from time to time renewed. Such bonds shall mature at such time or times not exceeding twenty years from their respective dates as may be provided in or pursuant to the resolution or resolutions of the State Bond Commission authorizing such bonds. None of said bonds shall be authorized except upon a finding by the State Bond Commission that there has been filed with it a request for such authorization which is signed by or on behalf of the Secretary of the Office of Policy and Management and states such terms and conditions as said commission, in its discretion, may require. Said bonds issued pursuant to this section shall be general obligations of the state and the full faith and credit of the state of Connecticut are pledged for the payment of the principal of and interest on said bonds as the same become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due.

Sec. 11. (NEW) (*Effective July 1, 2025*) Not later than July 1, 2026, the Office of Early Childhood shall develop and administer a system of presumptive eligibility for applicants to the child care subsidy program, established pursuant to section 17b-749 of the general statutes, as

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amended by this act. Such system shall (1) include a screening tool that will permit applicants to determine presumptive eligibility under the child care subsidy program, (2) provide applicants who have been determined to be presumptively eligible for the child care subsidy program to receive services for a sixty-day trial period, (3) require applicants who receive services under such sixty-day trial period to complete the full application for participation in the child care subsidy program in order to continue to be eligible, and (4) require the office to make a final eligibility determination for such applicant prior to the expiration of such sixty-day trial period.

- Sec. 12. (*Effective from passage*) Not later than July 1, 2025, the Office of Early Childhood shall implement a prospective payment system for the child care subsidy program, established pursuant to section 17b-749 of the general statutes, as amended by this act, in accordance with federal law.
- Sec. 13. Subsections (f) and (g) of section 17b-749 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(f) A provider under the child care subsidy program that qualifies for eligibility and subsequently receives payment for child care services for recipients under this section shall be reimbursed for such services until informed by the office of the recipient's ineligibility. For the fiscal year ending June 30, 2026, and each fiscal year thereafter, the commissioner shall (1) limit the total amount of payments under this section to any provider that operates, directly or through an affiliate, more than ten child care centers, as described in section 19a-77, to not more than one per cent of the total appropriation under this section for that fiscal year, unless the commissioner determines that making payments to such provider in an amount greater than one per cent of such total annual appropriation is in the best interests of the state, and (2) require any such provider to (A) demonstrate a willingness to enroll more children of families who are recipients under the child care subsidy program at each child care center location operated by such provider or its affiliate, and

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- 372 (B) annually provide the office with an audited financial statement 373 detailing how payments received under this section have been 374 expended during that fiscal year.
- 375 (g) All licensed child care providers and those providers exempt from 376 licensing shall provide the office with the following information in order 377 to maintain eligibility for reimbursement: (1) The name, address, 378 appropriate identification, Social Security number and telephone 379 number of the provider and all adults who work for or reside at the 380 location where care is provided; (2) the name and address of the child's 381 doctor, primary care provider and health insurance company; (3) 382 whether the child is immunized and has had health screens pursuant to 383 the federal Early and Periodic Screening, Diagnostic and Treatment 384 Services Program under 42 USC 1396d; [and] (4) the number of children 385 cared for by the provider; (5) the type of business entity of the provider; and (6) the names of all officers, directors and owners of the provider 386 387 or, in the case of an affiliate of the provider that is receiving payments under this section, the names of all officers, directors and owners of such 388 389 affiliate.
 - Sec. 14. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, each provider of child care services, as described in section 19a-77 of the general statutes, shall annually submit to the Office of Early Childhood the tuition rates being charged to families during the fiscal year and the amount of any change in such tuition rates from the previous fiscal year.

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- (b) The Office of Early Childhood shall annually publish on its Internet web site the information collected pursuant to subsection (a) of this section regarding tuition rates and changes in tuition amounts.
- Sec. 15. (Effective from passage) Not later than October 1, 2025, the Commissioner of Early Childhood shall enter into a data sharing agreement with the Children's Funding Project for the purpose of the creation of a fiscal map that shows a comprehensive view of state funding and spending for children in the state. The commissioner shall

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not be required to enter into such agreement under this section if the Children's Funding Project requires a direct fee for its services.

Sec. 16. (*Effective from passage*) The Office of Early Childhood, in collaboration with the Insurance Department and the Attorney General, shall conduct a joint study regarding the prevalence, appropriateness and affordability of liability insurance for child care centers and family child care homes, as such terms are described in section 19a-77 of the general statutes. Such joint study shall include, but need not be limited to, an assessment of the factors that have given rise to increasing liability insurance costs. Not later than January 1, 2026, the office shall submit a report on the findings of such joint study, and any recommendations, to the joint standing committees of the General Assembly having cognizance of matters relating to children, education and insurance, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 17. (Effective from passage) The Office of Early Childhood shall conduct a study concerning the prevalence of men in the child care and early childhood education workforce. Such study shall include, but need not be limited to, an analysis of the factors affecting and reasons why so few men are employed in child care or early childhood education and recommendations for ways to increase the representation of men in such fields. Not later than January 1, 2026, the office shall submit a report on the findings of such study, and any recommendations, to the joint standing committees of the General Assembly having cognizance of matters relating to children, education and labor, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 18. (*Effective from passage*) The Office of Early Childhood, in consultation with the Department of Emergency Services and Public Protection, shall develop a report on background checks for early childhood educators. Such report shall include, but need not be limited to, (1) an examination of (A) the average processing time for background checks for early childhood educators, (B) strategies to improve the speed at which background checks are processed, and (C) strategies to

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437 improve the convenience and ease with which early childhood 438 educators are able to be fingerprinted and to submit background check 439 materials for processing, and (2) an assessment of whether it is possible 440 for an early childhood educator to share his or her fingerprint and 441 background check results with multiple prospective employers. Not 442 later than January 1, 2026, the office shall submit a report on its findings, 443 and any recommendations, to the joint standing committees of the 444 General Assembly having cognizance of matters relating to children, 445 education and public safety, in accordance with the provisions of section 446 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following		
sections:		
Section 1	from passage	New section
Sec. 2	July 1, 2025	10-511
Sec. 3	from passage	New section
Sec. 4	July 1, 2025	10-511a(c)
Sec. 5	July 1, 2025	New section
Sec. 6	July 1, 2025	17b-749(b)
Sec. 7	July 1, 2025	New section
Sec. 8	July 1, 2025	New section
Sec. 9	July 1, 2025	New section
Sec. 10	July 1, 2025	New section
Sec. 11	July 1, 2025	New section
Sec. 12	from passage	New section
Sec. 13	July 1, 2025	17b-749(f) and (g)
Sec. 14	July 1, 2025	New section
Sec. 15	from passage	New section
Sec. 16	from passage	New section
Sec. 17	from passage	New section
Sec. 18	from passage	New section

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