

# Appropriation

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2021                    **CHAPTER:** 144

**NJSA:** Appropriation (Appropriates \$100,000,000 to DCA for purpose of studying and providing grants and technical assistance to licensed and registered child care providers to support workforce development and other improvements. )

**BILL NO:** S3990                    (Substituted for A5863 (1R))

**SPONSOR(S)** Turner, Shirley K. and others

**DATE INTRODUCED:** 6/21/2021

**COMMITTEE:**                    **ASSEMBLY:** --  
**SENATE:** Budget & Appropriations

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** 6/24/2021  
**SENATE:** 6/24/2021

**DATE OF APPROVAL:** 7/1/2021

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (Second Reprint enacted) Yes

#### S3990

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** Yes

**LEGISLATIVE FISCAL ESTIMATE:** No

#### A5863 (1R)

**INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT):** Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes    Women & Children  
Budget

**SENATE:** No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

P.L. 2021, CHAPTER 144, *approved July 1, 2021*  
Senate, No. 3990 (*Second Reprint*)

1 **AN ACT** <sup>2</sup>**[**establishing a child care revitalization fund**]** concerning  
2 licensed and registered child care providers<sup>2</sup>, appropriating  
3 \$100,000,000, and supplementing Title <sup>2</sup>**[30]** 52<sup>2</sup> of the New  
4 Jersey Statutes.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 <sup>1</sup>**[**1. The Legislature finds and declares that:

10 a. Working mothers in New Jersey and across the nation have  
11 been disparately affected by child care and school closures during  
12 the coronavirus 2019 (COVID-19) pandemic.

13 b. According to the United States Census Bureau, 1.6 million  
14 fewer women with school-aged children were actively working in  
15 January 2021, when compared with January 2020.

16 c. A Kaiser family Foundation survey conducted in late 2020  
17 found that 30 percent of working mothers interviewed had taken  
18 time off from work due to child care or school closures.

19 d. Without access to affordable, high-quality child care, New  
20 Jersey's working mothers will continue to face the difficult choice  
21 between caring for their young children and their careers.

22 e. Fully-operating schools and licensed child care providers are  
23 critical to the New Jersey's reopening plan, as well as the State's  
24 economic recovery from the COVID-19 pandemic.

25 f. Too many licensed child care providers have been unable to  
26 re-open following pandemic-related closures, due to high operating  
27 costs and reduced capacity required to slow the spread of COVID-  
28 19.

29 g. It is in the public interest for the Legislature to create a fund  
30 to address the critical child care and economic issues faced by the  
31 State's working families and licensed child care providers.<sup>1</sup>

32  
33 <sup>1</sup>**[**2. a. There is created within the Department of Children and  
34 Families a dedicated, non-lapsing fund to be known as the Child  
35 Care Revitalization Fund for the purpose of supporting child care  
36 providers, licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.),  
37 who were severely impacted by high operating costs and reduced  
38 capacity required to mitigate the health impact of the coronavirus  
39 2019 (COVID-19) pandemic.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[ thus ]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 21, 2021.

<sup>2</sup>Assembly floor amendments adopted June 24, 2021.

1 b. The Commissioner of the Department of Children and  
2 Families, in consultation with the Commissioner of Human Services  
3 and the Chief Executive of the Economic Development Authority,  
4 shall establish processes by which licensed child care providers may  
5 submit, through an online portal, applications for assistance through  
6 the fund, and by which the allocation of resources from the fund  
7 may be prioritized.

8 c. Authorized allocations from the fund are to be disbursed to  
9 licensed child care providers within 21 days of the department's  
10 receipt of a qualifying application, as submitted by a provider  
11 through the online portal established pursuant to this act, prior to  
12 September 1, 2021.

13 d. The commissioner, pursuant to the "Administrative  
14 Procedure Act" P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
15 such rules and regulations as necessary to implement the provisions  
16 of this act. **】<sup>1</sup>**

17  
18 **<sup>1</sup>【3.** There is appropriated \$100,000,000 from the General Fund  
19 to the Department of Children and Families to effectuate the  
20 purposes of this act. **】<sup>1</sup>**

21  
22 <sup>1</sup>1. a. There is appropriated to the Division of Disaster  
23 Recovery and Mitigation in the Department of Community Affairs  
24 \$15,500,000 in federal funds allocated to the State from the federal  
25 "Coronavirus State Fiscal Recovery Fund" established pursuant to  
26 the federal "American Rescue Plan Act", Pub.L.117-2, and such  
27 amounts shall be made available to the Department of Children and  
28 Families to create workforce development supports and conduct a  
29 child care landscape study, and of such amounts, not more than 2.5  
30 percent, subject to the division's ultimate review and approval, shall  
31 be utilized by the Department of Children and Families for  
32 organizational, administrative and other work and services,  
33 including salaries, equipment, services, and materials necessary to  
34 administer the activities authorized by this subsection. The  
35 Department of Children and Families shall enter into a  
36 memorandum of understanding or grant agreement, as applicable,  
37 with the division to effectuate the purposes of this subsection, to  
38 establish appropriate administrative costs, and to ensure compliance  
39 with federal rules and guidance, including with respect to the  
40 "American Rescue Plan Act," Pub.L.117-2.

41 b. The division shall be the State's grant manager for federal  
42 "Coronavirus State Fiscal Recovery Funds," and is responsible for  
43 ensuring compliance with all applicable federal rules and  
44 regulations for this act, including, but not limited to, submitting all  
45 required reporting and documentation to the United States  
46 Department of the Treasury in accordance with federal rules,  
47 including with respect to the "American Rescue Plan Act,"

1 Pub.L.117-2. As the State’s grant manager for federal “Coronavirus  
2 State Fiscal Recovery Funds,” the division shall require funds for  
3 organizational, administrative, and other work and services,  
4 including salaries, services, equipment, and materials necessary to  
5 administer the applicable provisions of this act.

6 c. Notwithstanding the provisions of subsection a. of this  
7 section to the contrary, the division may transfer the uncommitted  
8 balance of any funds made available pursuant to this section for any  
9 use authorized under this act. The division shall submit notice to  
10 the Joint Budget Oversight Committee no less than five calendar  
11 days before the date of the transfer. The notice shall indicate the  
12 amount of the transferred funds and the purpose for which the funds  
13 are transferred.<sup>1</sup>

14  
15 <sup>1</sup>2. a. There is appropriated to the Division of Disaster  
16 Recovery and Mitigation in the Department of Community Affairs  
17 \$54,500,000 in federal funds allocated to the State from the federal  
18 “Coronavirus State Fiscal Recovery Fund” established pursuant to  
19 the federal “American Rescue Plan Act”, Pub.L.117-2, and such  
20 amounts shall be made available to the New Jersey Economic  
21 Development Authority for the purpose of providing technical  
22 assistance to licensed child care providers, registered family child  
23 care homes and grants to child care providers for facilities  
24 improvements which grants shall be allocated, on a rolling basis, to  
25 licensed child care providers, registered family child care homes,  
26 and child care providers, and of such amounts, not more than 2.5  
27 percent, subject to the division’s ultimate review and approval, shall  
28 be utilized by the New Jersey Economic Development Authority for  
29 organizational, administrative and other work and services,  
30 including salaries, equipment, services, and materials necessary to  
31 administer the activities authorized by this subsection. The New  
32 Jersey Economic Development Authority shall enter into a  
33 memorandum of understanding or grant agreement, as applicable,  
34 with the division to effectuate the purposes of this subsection, to  
35 establish appropriate administrative costs, and to ensure compliance  
36 with federal rules and guidance, including with respect to the  
37 “American Rescue Plan Act,” Pub.L.117-2.

38 b. The division shall be the State’s grant manager for federal  
39 “Coronavirus State Fiscal Recovery Funds,” and is responsible for  
40 ensuring compliance with all applicable federal rules and  
41 regulations for this act, including, but not limited to, submitting all  
42 required reporting and documentation to the United States  
43 Department of the Treasury in accordance with federal rules,  
44 including with respect to the “American Rescue Plan Act,”  
45 Pub.L.117-2. As the State’s grant manager for federal “Coronavirus  
46 State Fiscal Recovery Funds,” the division shall require funds for  
47 organizational, administrative, and other work and services,

1 including salaries, services, equipment, and materials necessary to  
2 administer the applicable provisions of this act.

3 c. Notwithstanding the provisions of subsection a. of this  
4 section to the contrary, the division may transfer the uncommitted  
5 balance of any funds made available pursuant to this section for any  
6 use authorized under this <sup>2</sup>act<sup>2</sup> . The division shall submit notice to  
7 the Joint Budget Oversight Committee no less than five calendar  
8 days before the date of the transfer. The notice shall indicate the  
9 amount of the transferred funds and the purpose for which the funds  
10 are transferred.<sup>1</sup>

11  
12 <sup>1</sup>3. a. There is appropriated to the Division of Disaster  
13 Recovery and Mitigation in the Department of Community Affairs  
14 \$30,000,000 in federal funds allocated to the State from the federal  
15 “Coronavirus State Fiscal Recovery Fund” established pursuant to  
16 the federal “American Rescue Plan Act”, Pub.L.117-2, and such  
17 amounts shall be made available to the Department of Human  
18 Services for the purpose of providing grants to the licensed child  
19 care providers<sup>2</sup>, registered family day care providers,<sup>2</sup> or employees  
20 of licensed child care providers<sup>2</sup> or registered family day care  
21 providers<sup>2</sup> , which grants shall be allocated, on a rolling basis, to  
22 licensed child care providers<sup>2</sup>, registered family day care  
23 providers,<sup>2</sup> or employees of licensed child care providers<sup>2</sup> or  
24 registered family day care providers<sup>2</sup> within 45 days of the  
25 department’s receipt of a complete qualifying application, and of  
26 such amounts, not more than 2.5 percent, subject to the division’s  
27 ultimate review and approval, shall be utilized by the Department of  
28 Human Services for organizational, administrative and other work  
29 and services, including salaries, equipment, services, and materials  
30 necessary to administer the activities authorized by this subsection.  
31 The Department of Human Services shall enter into a memorandum  
32 of understanding or grant agreement, as applicable, with the  
33 division to effectuate the purposes of this act subsection, to  
34 establish appropriate administrative costs, and to ensure compliance  
35 with federal rules and guidance, including with respect to the  
36 “American Rescue Plan Act,” Pub.L.117-2.

37 b. The division shall be the State’s grant manager for federal  
38 “Coronavirus State Fiscal Recovery Funds,” and is responsible for  
39 ensuring compliance with all applicable federal rules and  
40 regulations for this section, including, but not limited to, submitting  
41 all required reporting and documentation to the United States  
42 Department of the Treasury in accordance with federal rules,  
43 including with respect to the “American Rescue Plan Act,”  
44 Pub.L.117-2. As the State’s grant manager for federal “Coronavirus  
45 State Fiscal Recovery Funds,” the division shall require funds for  
46 organizational, administrative, and other work and services,

1 including salaries, services, equipment, and materials necessary to  
2 administer the applicable provisions of this act.

3 c. Notwithstanding the provisions of subsection a. of this  
4 section to the contrary, the division may transfer the uncommitted  
5 balance of any funds made available pursuant to this section for any  
6 use authorized under this act. The division shall submit notice to  
7 the Joint Budget Oversight Committee no less than five calendar  
8 days before the date of the transfer. The notice shall indicate the  
9 amount of the transferred funds and the purpose for which the funds  
10 are transferred.<sup>1</sup>

11

12 4. This act shall take effect immediately.

13

14

15

16

17 Appropriates \$100,000,000 to DCA for purpose of studying and  
18 providing grants and technical assistance to licensed and registered  
19 child care providers to support workforce development and other  
20 improvements.

**SENATE, No. 3990**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JUNE 21, 2021

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Establishes child care revitalization fund in Department of Children and Families; appropriates \$100,000,000

**CURRENT VERSION OF TEXT**

As introduced.



S3990 TURNER

2

1 AN ACT establishing a child care revitalization fund, appropriating  
2 \$100,000,000, and supplementing Title 30 of the New Jersey  
3 Statutes.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. The Legislature finds and declares that:

9 a. Working mothers in New Jersey and across the nation have  
10 been disparately affected by child care and school closures during  
11 the coronavirus 2019 (COVID-19) pandemic.

12 b. According to the United States Census Bureau, 1.6 million  
13 fewer women with school-aged children were actively working in  
14 January 2021, when compared with January 2020.

15 c. A Kaiser family Foundation survey conducted in late 2020  
16 found that 30 percent of working mothers interviewed had taken  
17 time off from work due to child care or school closures.

18 d. Without access to affordable, high-quality child care, New  
19 Jersey's working mothers will continue to face the difficult choice  
20 between caring for their young children and their careers.

21 e. Fully-operating schools and licensed child care providers are  
22 critical to the New Jersey's reopening plan, as well as the State's  
23 economic recovery from the COVID-19 pandemic.

24 f. Too many licensed child care providers have been unable to  
25 re-open following pandemic-related closures, due to high operating  
26 costs and reduced capacity required to slow the spread of COVID-  
27 19.

28 g. It is in the public interest for the Legislature to create a fund  
29 to address the critical child care and economic issues faced by the  
30 State's working families and licensed child care providers.

31

32 2. a. There is created within the Department of Children and  
33 Families a dedicated, non-lapsing fund to be known as the Child  
34 Care Revitalization Fund for the purpose of supporting child care  
35 providers, licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.),  
36 who were severely impacted by high operating costs and reduced  
37 capacity required to mitigate the health impact of the coronavirus  
38 2019 (COVID-19) pandemic.

39 b. The Commissioner of the Department of Children and  
40 Families, in consultation with the Commissioner of Human Services  
41 and the Chief Executive of the Economic Development Authority,  
42 shall establish processes by which licensed child care providers may  
43 submit, through an online portal, applications for assistance through  
44 the fund, and by which the allocation of resources from the fund  
45 may be prioritized.

46 c. Authorized allocations from the fund are to be disbursed to  
47 licensed child care providers within 21 days of the department's  
48 receipt of a qualifying application, as submitted by a provider

1 through the online portal established pursuant to this act, prior to  
2 September 1, 2021.

3 d. The commissioner, pursuant to the “Administrative  
4 Procedure Act” P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
5 such rules and regulations as necessary to implement the provisions  
6 of this act.

7  
8 3. There is appropriated \$100,000,000 from the General Fund  
9 to the Department of Children and Families to effectuate the  
10 purposes of this act.

11  
12 4. This act shall take effect immediately.

13  
14  
15 STATEMENT

16  
17 This bill establishes the Child Care Revitalization Fund, a  
18 dedicated, non-lapsing fund to be administered by the Department  
19 of Children and Families for the purpose of providing financial  
20 support to the State’s licensed child care providers. The bill  
21 authorizes the Commissioner of Children and Families, in  
22 consultation with the Commissioner of Human Services and the  
23 Chief Executive of the Economic Development Authority, to  
24 develop processes by which licensed child care providers may  
25 submit, through an online portal, applications for assistance through  
26 the fund, and by which the allocation of resources from the fund  
27 may be prioritized. Authorized allocations from the fund are to be  
28 disbursed to licensed child care providers within 21 days of the  
29 department’s receipt of a qualifying application, as submitted by a  
30 provider through the online portal established pursuant to this act,  
31 prior to September 1, 2021.

32 It is the intent of the bill’s sponsors to provide critical assistance  
33 to the State’s licensed child care providers who were severely  
34 impacted by high operating costs and reduced capacity required to  
35 mitigate the effects of the coronavirus 2019 (COVID-19) pandemic.  
36 Numerous surveys conducted since the start of the pandemic  
37 evidence the staggering number of working mothers who have had  
38 to choose between caring for their young children and their careers.  
39 Without a sufficient network of high quality, affordable licensed  
40 child care providers in our communities, parents of young children  
41 will be unable to return to work on a full-time as the State economy  
42 reopens in the coming months, and the State’s economic recovery  
43 will falter.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 3990**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 22, 2021

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 3990.

As introduced, this bill establishes the Child Care Revitalization Fund, a dedicated, non-lapsing fund to be administered by the Department of Children and Families for the purpose of providing financial support to the State's licensed child care providers. The bill authorizes the Commissioner of Children and Families, in consultation with the Commissioner of Human Services and the Chief Executive of the Economic Development Authority, to develop processes by which licensed child care providers may submit, through an online portal, applications for assistance through the fund, and by which the allocation of resources from the fund may be prioritized. Authorized allocations from the fund are to be disbursed to licensed child care providers within 21 days of the department's receipt of a qualifying application, as submitted by a provider through the online portal established pursuant to this act, prior to September 1, 2021.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$15,500,000 in federal funds allocated to the State from the federal "Coronavirus State Fiscal Recovery Fund" established pursuant to the federal "American Rescue Plan Act", Pub.L.117-2, for the Department of Children and Families to create workforce development supports and conduct a child care landscape study. Not more than 2.5 percent of these funds are to be utilized by the Department of Children and Families for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The amendments provide that the Department of Children and Families will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the "American Rescue Plan Act," Pub.L.117-2.

The amendments provide that the division will be the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," and is responsible for ensuring compliance with all applicable federal rules and regulations for this act, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with respect to the "American Rescue Plan Act," Pub.L.117-2. As the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of the bill.

The amendments provide that notwithstanding the provisions of section 1 of the bill to the contrary, the division may transfer the uncommitted balance of any funds made available pursuant to this section for any use authorized under the bill. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

The amendments appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$54,500,000 in federal funds allocated to the State from the federal "Coronavirus State Fiscal Recovery Fund" established pursuant to the federal "American Rescue Plan Act", Pub.L.117-2, to be made available to the New Jersey Economic Development Authority for the purpose of providing technical assistance to licensed child care providers and grants to child care providers for facilities improvements which grants will be allocated, on a rolling basis, to licensed child care providers. Not more than 2.5 percent of these funds are to be utilized by the New Jersey Economic Development Authority for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The New Jersey Economic Development Authority will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the "American Rescue Plan Act," Pub.L.117-2.

The amendments provide that the division will be the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," and is responsible for ensuring compliance with all applicable federal rules and regulations for this act, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with respect to the "American Rescue Plan Act," Pub.L.117-2. As the

State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of the bill.

The amendments provide that notwithstanding the provisions of section 2 to the contrary, the division may transfer the uncommitted balance of any funds made available pursuant to this section for any use authorized under this bill. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

The amendments appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$30,000,000 in federal funds allocated to the State from the federal "Coronavirus State Fiscal Recovery Fund" established pursuant to the federal "American Rescue Plan Act", Pub.L.117-2, to be made available to the Department of Human Services for the purpose of providing grants to the licensed child care providers or employees of licensed child care providers, which grants will be allocated, on a rolling basis, to licensed child care providers or employees of licensed child care providers within 45 days of the department's receipt of a complete qualifying application. Not more than 2.5 percent of the funds are to be utilized by the Department of Human Services for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The Department of Human Services will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this act subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the "American Rescue Plan Act," Pub.L.117-2.

The amendments provide that the division will be the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," and is responsible for ensuring compliance with all applicable federal rules and regulations for this section, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with respect to the "American Rescue Plan Act," Pub.L.117-2. As the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of this act.

The amendments provide that notwithstanding the provisions of section 3 to the contrary, the division may transfer the uncommitted

balance of any funds made available pursuant to this section for any use authorized under this act. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 3990**

with Assembly Floor Amendments  
(Proposed by Assemblyman COUGHLIN)

ADOPTED: JUNE 24, 2021

These floor amendments expand the provisions of the bill which provide for the allocation of federal funds from the federal “Coronavirus State Fiscal Recovery Fund” to the Department of Human Services for the purpose of providing grants to licensed child care providers and the employees of licensed child care providers to include registered family day care providers and their employees.

The floor amendments provide technical changes to the title and synopsis of the bill to reflect the bill’s purpose of providing grants to licensed and registered child care providers.

The floor amendments make technical changes to add and remove certain terminology to ensure consistency throughout the bill.

# ASSEMBLY, No. 5863

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 9, 2021

**Sponsored by:**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen and Passaic)**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman VINCENT MAZZEO**

**District 2 (Atlantic)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblywoman SHANIQUE SPEIGHT**

**District 29 (Essex)**

**Assemblyman CRAIG J. COUGHLIN**

**District 19 (Middlesex)**

**Co-Sponsored by:**

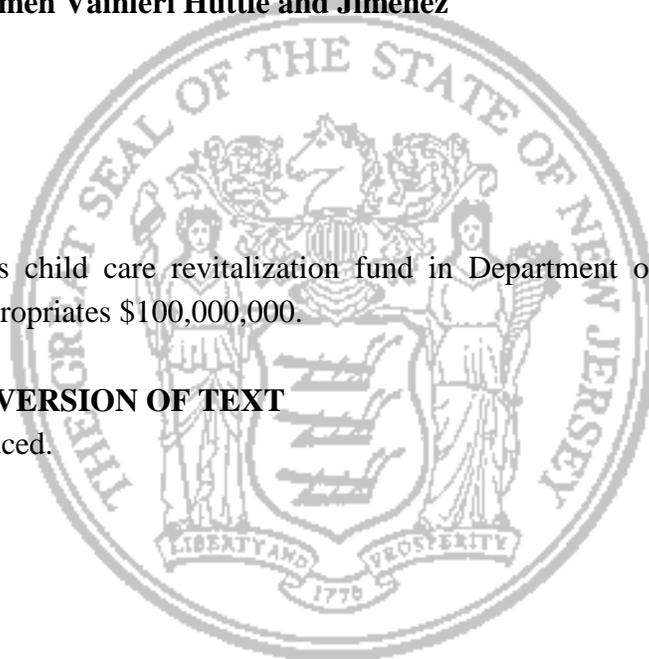
**Assemblywomen Vainieri Huttle and Jimenez**

**SYNOPSIS**

Establishes child care revitalization fund in Department of Children and Families; appropriates \$100,000,000.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/21/2021)**

1 AN ACT establishing a child care revitalization fund, appropriating  
2 \$100,000,000, and supplementing Title 30 of the New Jersey  
3 Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. The Legislature finds and declares that:

9 a. Working mothers in New Jersey and across the nation have  
10 been disparately affected by child care and school closures during  
11 the coronavirus 2019 (COVID-19) pandemic.

12 b. According to the United States Census Bureau, 1.6 million  
13 fewer women with school-aged children were actively working in  
14 January 2021, when compared with January 2020.

15 c. A Kaiser family Foundation survey conducted in late 2020  
16 found that 30 percent of working mothers interviewed had taken  
17 time off from work due to child care or school closures.

18 d. Without access to affordable, high-quality child care, New  
19 Jersey's working mothers will continue to face the difficult choice  
20 between caring for their young children and their careers.

21 e. Fully-operating schools and licensed child care providers are  
22 critical to the New Jersey's reopening plan, as well as the State's  
23 economic recovery from the COVID-19 pandemic.

24 f. Too many licensed child care providers have been unable to  
25 re-open following pandemic-related closures, due to high operating  
26 costs and reduced capacity required to slow the spread of COVID-  
27 19.

28 g. It is in the public interest for the Legislature to create a fund  
29 to address the critical child care and economic issues faced by the  
30 State's working families and licensed child care providers.

31

32 2. a. There is created within the Department of Children and  
33 Families a dedicated, non-lapsing fund to be known as the Child  
34 Care Revitalization Fund for the purpose of supporting child care  
35 providers, licensed pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.),  
36 who were severely impacted by high operating costs and reduced  
37 capacity required to mitigate the health impact of the coronavirus  
38 2019 (COVID-19) pandemic.

39 b. The Commissioner of the Department of Children and  
40 Families, in consultation with the Commissioner of Human Services  
41 and the Chief Executive of the Economic Development Authority,  
42 shall establish processes by which licensed child care providers may  
43 submit, through an online portal, applications for assistance through  
44 the fund, and by which the allocation of resources from the fund  
45 may be prioritized.

46 c. Authorized allocations from the fund are to be disbursed to  
47 licensed child care providers within 21 days of the department's  
48 receipt of a qualifying application, as submitted by a provider

1 through the online portal established pursuant to this act, prior to  
2 September 1, 2021.

3 d. The commissioner, pursuant to the “Administrative  
4 Procedure Act” P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt  
5 such rules and regulations as necessary to implement the provisions  
6 of this act.

7  
8 3. There is appropriated \$100,000,000 from the General Fund  
9 to the Department of Children and Families to effectuate the  
10 purposes of this act.

11  
12 4. This act shall take effect immediately.

13  
14  
15 STATEMENT

16  
17 This bill establishes the Child Care Revitalization Fund, a  
18 dedicated, non-lapsing fund to be administered by the Department  
19 of Children and Families for the purpose of providing financial  
20 support to the State’s licensed child care providers. The bill  
21 authorizes the Commissioner of Children and Families, in  
22 consultation with the Commissioner of Human Services and the  
23 Chief Executive of the Economic Development Authority, to  
24 develop processes by which licensed child care providers may  
25 submit, through an online portal, applications for assistance through  
26 the fund, and by which the allocation of resources from the fund  
27 may be prioritized. Authorized allocations from the fund are to be  
28 disbursed to licensed child care providers within 21 days of the  
29 department’s receipt of a qualifying application, as submitted by a  
30 provider through the online portal established pursuant to this act,  
31 prior to September 1, 2021.

32 It is the intent of the bill’s sponsors to provide critical assistance  
33 to the State’s licensed child care providers who were severely  
34 impacted by high operating costs and reduced capacity required to  
35 mitigate the effects of the coronavirus 2019 (COVID-19) pandemic.  
36 Numerous surveys conducted since the start of the pandemic  
37 evidence the staggering number of working mothers who have had  
38 to choose between caring for their young children and their careers.  
39 Without a sufficient network of high quality, affordable licensed  
40 child care providers in our communities, parents of young children  
41 will be unable to return to work on a full-time as the State economy  
42 reopens in the coming months, and the State’s economic recovery  
43 will falter.

# ASSEMBLY WOMEN AND CHILDREN COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5863

# STATE OF NEW JERSEY

DATED: JUNE 9, 2021

The Assembly Women and Children Committee reports favorably Assembly Bill 5863.

This bill establishes the Child Care Revitalization Fund, a dedicated, non-lapsing fund to be administered by the Department of Children and Families for the purpose of providing financial support to the State's licensed child care providers. The bill authorizes the Commissioner of Children and Families, in consultation with the Commissioner of Human Services and the Chief Executive of the Economic Development Authority, to develop processes by which licensed child care providers may submit, through an online portal, applications for assistance through the fund, and by which the allocation of resources from the fund may be prioritized. Authorized allocations from the fund are to be disbursed to licensed child care providers within 21 days of the department's receipt of a qualifying application, as submitted by a provider through the online portal established pursuant to this act, prior to September 1, 2021.

It is the intent of the bill's sponsors to provide critical assistance to the State's licensed child care providers who were severely impacted by high operating costs and reduced capacity required to mitigate the effects of the coronavirus 2019 (COVID-19) pandemic. Numerous surveys conducted since the start of the pandemic evidence the staggering number of working mothers who have had to choose between caring for their young children and their careers. Without a sufficient network of high quality, affordable licensed child care providers in our communities, parents of young children will be unable to return to work on a full-time as the State economy reopens in the coming months, and the State's economic recovery will falter.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 5863**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 22, 2021

The Assembly Budget Committee reports favorably Assembly Bill No. 5863, with committee amendments.

As introduced, this bill establishes the Child Care Revitalization Fund, a dedicated, non-lapsing fund to be administered by the Department of Children and Families for the purpose of providing financial support to the State's licensed child care providers. The bill authorizes the Commissioner of Children and Families, in consultation with the Commissioner of Human Services and the Chief Executive of the Economic Development Authority, to develop processes by which licensed child care providers may submit, through an online portal, applications for assistance through the fund, and by which the allocation of resources from the fund may be prioritized. Authorized allocations from the fund are to be disbursed to licensed child care providers within 21 days of the department's receipt of a qualifying application, as submitted by a provider through the online portal established pursuant to this act, prior to September 1, 2021.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$15,500,000 in federal funds allocated to the State from the federal "Coronavirus State Fiscal Recovery Fund" established pursuant to the federal "American Rescue Plan Act", Pub.L.117-2, for the Department of Children and Families to create workforce development supports and conduct a child care landscape study. Not more than 2.5 percent of these funds are to be utilized by the Department of Children and Families for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The amendments provide that the Department of Children and Families will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the "American Rescue Plan Act," Pub.L.117-2.

The amendments provide that the division will be the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," and is responsible for ensuring compliance with all applicable federal rules and regulations for this act, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with respect to the "American Rescue Plan Act," Pub.L.117-2. As the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of the bill.

The amendments provide that notwithstanding the provisions of section 1 of the bill to the contrary, the division may transfer the uncommitted balance of any funds made available pursuant to this section for any use authorized under the bill. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

The amendments appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$54,500,000 in federal funds allocated to the State from the federal "Coronavirus State Fiscal Recovery Fund" established pursuant to the federal "American Rescue Plan Act", Pub.L.117-2, to be made available to the New Jersey Economic Development Authority for the purpose of providing technical assistance to licensed child care providers, registered family child care homes and grants to child care providers for facilities improvements which grants shall be allocated, on a rolling basis, to licensed child care providers, registered family child care homes, and child care providers. Not more than 2.5 percent of these funds are to be utilized by the New Jersey Economic Development Authority for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The New Jersey Economic Development Authority will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the "American Rescue Plan Act," Pub.L.117-2.

The amendments provide that the division will be the State's grant manager for federal "Coronavirus State Fiscal Recovery Funds," and is responsible for ensuring compliance with all applicable federal rules and regulations for this act, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with

respect to the “American Rescue Plan Act,” Pub.L.117-2. As the State’s grant manager for federal “Coronavirus State Fiscal Recovery Funds,” the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of the bill.

The amendments provide that notwithstanding the provisions of section 2 to the contrary, the division may transfer the uncommitted balance of any funds made available pursuant to this section for any use authorized under this bill. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

The amendments appropriate to the Division of Disaster Recovery and Mitigation in the Department of Community Affairs \$30,000,000 in federal funds allocated to the State from the federal “Coronavirus State Fiscal Recovery Fund” established pursuant to the federal “American Rescue Plan Act”, Pub.L.117-2, to be made available to the Department of Human Services for the purpose of providing grants to the licensed child care providers or employees of licensed child care providers, which grants will be allocated, on a rolling basis, to licensed child care providers or employees of licensed child care providers within 45 days of the department’s receipt of a complete qualifying application. Not more than 2.5 percent of the funds are to be utilized by the Department of Human Services for organizational, administrative and other work and services, including salaries, equipment, services, and materials necessary to administer the activities authorized by this subsection. The Department of Human Services will enter into a memorandum of understanding or grant agreement, as applicable, with the division to effectuate the purposes of this act subsection, to establish appropriate administrative costs, and to ensure compliance with federal rules and guidance, including with respect to the “American Rescue Plan Act,” Pub.L.117-2.

The amendments provide that the division will be the State’s grant manager for federal “Coronavirus State Fiscal Recovery Funds,” and is responsible for ensuring compliance with all applicable federal rules and regulations for this section, including, but not limited to, submitting all required reporting and documentation to the United States Department of the Treasury in accordance with federal rules, including with respect to the “American Rescue Plan Act,” Pub.L.117-2. As the State’s grant manager for federal “Coronavirus State Fiscal Recovery Funds,” the division will require funds for organizational, administrative, and other work and services, including salaries, services, equipment, and materials necessary to administer oversee the applicable provisions of this act.

The amendments provide that notwithstanding the provisions of section 3 to the contrary, the division may transfer the uncommitted balance of any funds made available pursuant to this section for any use authorized under this act. The division will submit notice to the Joint Budget Oversight Committee no less than five calendar days before the date of the transfer. The notice will indicate the amount of the transferred funds and the purpose for which the funds are transferred.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 5863**  
**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

DATED: JUNE 17, 2021

**SUMMARY**

**Synopsis:** Establishes child care revitalization fund in Department of Children and Families; appropriates \$100,000,000.

**Type of Impact:** State expenditure increase from the General Fund.

**Agencies Affected:** Department of Children and Families; Department of Human Services; Economic Development Authority

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>FY 2022</u></b>
<b>State Cost Increase</b>	Up to \$100,000,000

- The Office of Legislative Services (OLS) finds that the Department of Children and Families would incur increased expenditures of up to \$100 million in Fiscal Year 2022 in order to establish the dedicated, non-lapsing Child Care Revitalization Fund, which would provide financial assistance to State-licensed child care providers adversely impacted by the COVID-19 pandemic.
- The OLS estimates that the department would may also incur additional indeterminate expenditure increases related to programming, administrative, and communications costs in order to: program and maintain an online portal through which licensed child care providers may submit applications for assistance from the fund; develop and implement the procedures and processes by which child care providers would submit applications to the fund; establish policies and criteria to be used in evaluating these applications and determining the amount of assistance to be disbursed from the fund to qualified applicants; and conduct outreach to promote awareness among the State’s licensed child care providers concerning the availability of financial assistance from the fund. It is not known if these administrative functions can be performed by existing staff using current resources.

**BILL DESCRIPTION**

This bill establishes the Child Care Revitalization Fund, a dedicated, non-lapsing fund to be administered by the Department of Children and Families for the purpose of providing financial

support to the State's licensed child care providers. The bill authorizes the Commissioner of Children and Families, in consultation with the Commissioner of Human Services and the Chief Executive of the Economic Development Authority, to develop processes by which licensed child care providers may submit, through an online portal, applications for assistance through the fund, and by which the allocation of resources from the fund may be prioritized. Authorized allocations from the fund are to be disbursed to licensed child care providers within 21 days of the department's receipt of a qualifying application, as submitted by a provider through the online portal established pursuant to this act, prior to September 1, 2021.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that the Department of Children and Families would incur increased expenditures of up to \$100 million in Fiscal Year 2022 in order to establish the dedicated, non-lapsing Child Care Revitalization Fund, which would provide financial assistance to State-licensed child care providers adversely impacted by the COVID-19 pandemic.

By way of context, the Commissioner of Children in Families, during FY 2022 budget hearings before the Senate Budget Committee, noted that the State, as of April 1, 2021, had 3,195 open child care providers, which represents a 23 percent reduction from the number of operating child care providers at the beginning of the pandemic in March 2020. An additional 908 child care providers were temporarily closed as of April 2021, but reported plans to reopen later in the year; 395 child care providers had closed permanently. Assuming that all 908 of the temporarily-closed child care providers reopen prior to the September 1 deadline for providers to submit applications for assistance from the Fund, and all 4,103 operating child care facilities apply for assistance, each facility could receive \$24,372 in financial support through the fund.

The department additionally could incur indeterminate expenditures related to programming, administrative, and personnel costs in order to establish and administer the Child Care Revitalization Fund. Moreover, the department would be required to develop and implement criteria for determining applicants' eligibility for financial assistance from the Fund, and the amount of funding to be disbursed to each qualified applicant. Finally, the Commissioner of Children and Families would realize additional costs to draft regulations governing the creation and administration of the fund, the process for evaluating applications for assistance, and the criteria used to determine the amount of disbursements from the fund. It is not known if these administrative functions can be performed by existing staff using current resources.

*Section:* Human Services  
*Analyst:* Anne Cappabianca  
Associate Fiscal Analyst  
*Approved:* Thomas Koenig  
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# Governor Murphy Signs Legislation Appropriating \$100 Million for Child Care Provider and Workforce Assistance

07/1/2021

**TRENTON** – Governor Phil Murphy today signed legislation (S3990) appropriating \$100 million in American Rescue Plan funds to the Department of Community Affairs to support child care providers and the child care workforce through a number of initiatives, including providing grants for facilities improvements, business technical assistance, workforce development supports, and a study of the child care landscape in the state. The Department of Community Affairs will make \$15.5 million available to the Department of Children and Families (DCF), \$54.5 million available to the New Jersey Economic Development Authority (NJEDA), and \$30 million available to the Department of Human Services (DHS).

“The COVID-19 pandemic laid bare the inequities created by the lack of access to affordable child care that many working families face,” **said Governor Murphy**. “This funding, made possible by the Biden Administration, will assist our child care providers and child care workforce that have worked tirelessly throughout the pandemic and beyond in our state. Without access to child care, many New Jerseyans are unable to work to provide for themselves and their families. This aid will be meaningful help for the many providers and child care employees that stepped up during the pandemic to take care of the children of essential workers and many others.”

“No mother or father should be confronted with the impossible choice of caring for their child or being able to financially provide for them, but the pandemic has forced working families, especially working mothers, to make the difficult decision to leave their jobs,” **said Lt. Governor Sheila Oliver, who serves as Commissioner of the Department of Community Affairs**. “This legislation is going to provide direct funding for our valued childcare providers whose operations were financially impacted by COVID-19 to help ensure that working families will have access to high-quality and affordable childcare as they reenter the workforce and beyond.”

The COVID-19 pandemic has underscored how crucial child care centers and the workers they employ are to our state's economy and the well-being of so many of our state's children and families,” **said Department of Children and Families Commissioner Christine Norbut Beyer**. “These businesses and workers will continue to be vital to our communities as we move through pandemic recovery. The funding provided by this statute will allow us to reinvest in these essential services and bolster the child care sector to better meet the changing needs of families moving forward.”

“Clearly child care is critical to the health and safety of our children, but it is also essential to the equitable recovery and long-term resilience of the state's economy,” **said NJEDA Chief Executive Officer Tim Sullivan**. “Governor Murphy and his entire administration are committed to ensuring that New Jersey's thousands of child care providers have the resources they need to strengthen their business operations, make improvements to their facilities, rehire staff, and grow. Increasing support for New Jersey's child care providers will create a safer, more enriching environment for the children they serve while allowing parents and caregivers to remain in the workforce so they may sustain thriving families.”

“Safe, affordable and reliable child care in New Jersey is vital to our economy and for working families throughout our state, especially working moms who have been disproportionately affected during the pandemic,” **said Department of Human Services Acting Commissioner Sarah Adelman**. “New Jersey's child care providers were on the front lines during the pandemic, and the Murphy Administration has been committed to supporting them even before the pandemic. This funding will bolster our efforts, and make clear once again that we consider child care providers to be critical to the success of our state.”

Primary sponsors for S3990 include Senators Shirley K. Turner and M. Teresa Ruiz, and Assemblymembers Lisa Swain, Andrew Zwicker, Vincent Mazzeo, Joanne Downey, Roy Freiman, Gabriela M. Mosquera, Shanique Speight, and Craig J. Coughlin.

“While all parents have been affected by childcare and school closures, working mothers have been hit the hardest, with 1.6 million fewer women reported in the workforce in January 2021,” **said Senator Shirley K. Turner**. “Without access to affordable childcare, parents across the state will continue to face the difficult decision of choosing to care for their children or to pursue a career. Our residents cannot afford a childcare shortage. This funding is an integral piece in ensuring we have the childcare providers we need as we enter into the next phase of the state’s economic recovery from the COVID-19 pandemic.”

“It is critical we have the infrastructure in place to support the anticipated move back to in-person work. This funding will ensure providers around the state are able to keep their doors open and meet the growing demand expected in the months ahead,” **said Senator M. Teresa Ruiz**. “We cannot afford to allow this industry to collapse; this much needed investment will ensure they are able to continue to serve our communities and care for our children. This is not only important now, in the wake of the pandemic, but always, as it plays an integral part in how we support our diverse workforce.”

“As our state continues to come out of this crisis, one key component of our recovery that we cannot ignore is the restoration of child-care services. Many of the child-care programs that made it through the pandemic are now struggling to stay afloat. Without our support, they may be unable to expand services or continue to stay in business,” **said the Assembly sponsors in a statement**. “New Jersey will be a model for the rest of the country in offering financial support to struggling providers. This will not only show our appreciation for the invaluable services they supplied during an unprecedented crisis, but will ensure our child-care providers can continue to offer these services going forward.”

S3990 establishes the Child Care Revitalization Fund, which will provide financial support to licensed or registered child care providers. The bill allocates \$15.5 million to DCF to create workforce development supports and conduct a child care landscape study. The bill further allocates \$54.5 million to the NJEDA for the purposes of providing technical assistance to licensed or registered child care providers, and grants to child care providers for facilities improvements. The legislation also allocates \$30 million to DHS for the purpose of providing grants to licensed or registered child care providers or their employees for workforce retention and hiring.