

FIRST REGULAR SESSION

SENATE BILL NO. 94

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS JUSTUS, SMITH, SHOEMYER, McKENNA, BARNITZ,
BRAY, DAYS, WILSON, WRIGHT-JONES, GREEN AND CALLAHAN.

Pre-filed December 3, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0253S.011

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to child care subsidies.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.046, to read as follows:

208.046. 1. The children's division shall promulgate rules to become effective no later than July 1, 2010, to modify the income eligibility criteria for any person receiving state-funded child care assistance under this chapter, either through vouchers or direct reimbursement to child care providers, as follows:

(1) For incomes of less than one hundred forty percent of the federal poverty level for the applicable family size, such persons receiving state-funded child care assistance under this chapter shall be eligible, subject to appropriations, to receive child care subsidy benefits, less a sliding fee established by the children's division based on family size and income;

(2) A person receiving state-funded child care assistance under this chapter and whose income surpasses one hundred forty percent of the federal poverty level for the applicable family size may continue to receive reduced subsidy benefits on a scale established by the children's division until such person's income reaches one hundred eighty-five percent of the federal poverty level for the applicable family size, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the children's division and shall be no longer eligible for child care subsidy benefits;

21 **(3) If appropriations in a given fiscal year are insufficient to**
22 **provide the subsidy established under this chapter for all eligible**
23 **recipients, the children's division shall establish a waiting list and**
24 **promulgate rules for the prioritization of eligible recipients on the**
25 **waiting list.**

26 **2. The sliding scale fee established in this section for child care**
27 **subsidy recipients may be waived for children with special needs as**
28 **established by the children's division.**

29 **3. Any rule or portion of a rule, as that term is defined in section**
30 **536.010, RSMo, that is created under the authority delegated in this**
31 **section shall become effective only if it complies with and is subject to**
32 **all of the provisions of chapter 536, RSMo, and, if applicable, section**
33 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
34 **and if any of the powers vested with the general assembly pursuant to**
35 **chapter 536, RSMo, to review, to delay the effective date, or to**
36 **disapprove and annul a rule are subsequently held unconstitutional,**
37 **then the grant of rulemaking authority and any rule proposed or**
38 **adopted after August 28, 2009, shall be invalid and void.**

Bill
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