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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1724

02/25/2019 Authored by Zerwas, Albright, Schomacker and Franson The bill was read for the first time and referred to the Early Childhood Finance and Policy Division

1.1 A bill for an act
1.2 relating to human services; extending child care assistance program eligibility
1.3 restrictions; amending Minnesota Statutes 2018, section 119B.09, subdivision 9;
1.4 repealing Minnesota Statutes 2018, section 119B.09, subdivision 9a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 119B.09, subdivision 9, is amended to read:

1.7 Subd. 9. ~~Licensed and legal nonlicensed family~~ Child care providers and employees;
1.8 assistance. ~~This subdivision applies to any provider providing care in a setting other than~~
1.9 ~~a child care center. Licensed and legal nonlicensed family child care providers and their~~
1.10 ~~employees~~ (a) The following individuals are not eligible to receive child care assistance
1.11 subsidies under this chapter for their own children or children in their family during the
1.12 hours they are providing child care, ~~or being paid to provide child care,~~ or working in a
1.13 setting where child care is provided: licensed and legal nonlicensed family child care
1.14 providers and the providers' employees; controlling individuals and employees of licensed
1.15 centers and license-exempt centers; and individuals who work in a setting where child care
1.16 is provided, even if employed by another entity. Child care providers and their employees
1.17 are eligible to receive child care assistance subsidies for their children when they are engaged
1.18 in other activities that meet the requirements of this chapter and for which child care
1.19 assistance can be paid. The hours for which the provider or their employee receives a child
1.20 care subsidy for their own children must not overlap with the hours the provider provides
1.21 child care services or works in a setting where child care is provided.

2.1 (b) Nothing in this subdivision precludes the commissioner from conducting fraud
2.2 investigations relating to child care assistance, imposing sanctions, and obtaining monetary
2.3 recovery as otherwise provided by law.

2.4 Sec. 2. **REPEALER.**

2.5 Minnesota Statutes 2018, section 119B.09, subdivision 9a, is repealed.

119B.09 FINANCIAL ELIGIBILITY.

Subd. 9a. **Child care centers; assistance.** (a) A child care center may receive authorizations for 25 or fewer children who are dependents of the center's employees. If a child care center is authorized for more than 25 children who are dependents of center employees, the county cannot authorize additional dependents of an employee until the number of children falls below 25.

(b) Funds paid to providers during the period of time when a center is authorized for more than 25 children who are dependents of center employees must not be treated as overpayments under section 119B.11, subdivision 2a, due to noncompliance with this subdivision.

(c) Nothing in this subdivision precludes the commissioner from conducting fraud investigations relating to child care assistance, imposing sanctions, and obtaining monetary recovery as otherwise provided by law.