

116TH CONGRESS
2D SESSION

H. R. 5789

To allow nonprofit child care providers to participate in the loan programs
of the Small Business Administration.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2020

Mrs. LEE of Nevada (for herself, Mr. STAUBER, Ms. FINKENAUER, Mr. HAGEDORN, Ms. PORTER, Mr. BALDERSON, Mrs. AXNE, Mr. MOOLENAAR, Mrs. LOWEY, Mr. KING of New York, Ms. WILD, and Mr. TAYLOR) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To allow nonprofit child care providers to participate in
the loan programs of the Small Business Administration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Child
5 Care Investment Act”.

6 **SEC. 2. SMALL BUSINESS LOANS FOR NONPROFIT CHILD**
7 **CARE PROVIDERS.**

8 Section 3(a) of the Small Business Act (15 U.S.C.
9 632(a)) is amended by adding at the end the following:

1 “(10) NONPROFIT CHILD CARE PROVIDERS.—

2 “(A) DEFINITION.—In this paragraph, the
3 term ‘covered nonprofit child care provider’
4 means an organization—

5 “(i) that—

6 “(I) is in compliance with licens-
7 ing requirements for child care pro-
8 viders of the State in which the orga-
9 nization is located;

10 “(II) is described in section
11 501(c)(3) of the Internal Revenue
12 Code of 1986 and exempt from tax
13 under section 501(a) of such Code;
14 and

15 “(III) is primarily engaged in
16 providing child care for children from
17 birth to compulsory school age;

18 “(ii) for which each employee and reg-
19 ular volunteer complies with the criminal
20 background check requirements under sec-
21 tion 658H(b) of the Child Care and Devel-
22 opment Block Grant Act of 1990 (42
23 U.S.C. 9858f(b)); and

24 “(iii) that may—

1 “(I) provide care for school-age
2 children outside of school hours or
3 outside of the school year; or

4 “(II) offer preschool or pre-
5 kindergarten educational programs.

6 “(B) ELIGIBILITY FOR LOAN PROGRAMS.—
7 Notwithstanding any other provision of this
8 subsection, a covered nonprofit child care pro-
9 vider shall be deemed to be a small business
10 concern for purposes of any program under this
11 Act or the Small Business Investment Act of
12 1958 (15 U.S.C. 661 et seq.) under which—

13 “(i) the Administrator may make
14 loans to small business concerns;

15 “(ii) the Administrator may guarantee
16 timely payment of loans to small business
17 concerns; or

18 “(iii) the recipient of a loan made or
19 guaranteed by the Administrator may
20 make loans to small business concerns.”.

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