

Senate Bill 554

By: Senators Payne of the 54th, Anavitarte of the 31st, Halpern of the 39th, Anderson of the 43rd, Hickman of the 4th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1A of Title 20 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding early care and learning, so as to provide for a grant
3 program to expand access to child care and preschool programs; to provide that the
4 Department of Early Care and Learning shall establish grant criteria; to provide for such
5 department to establish grant amounts; to provide for grant purposes; to provide for a grant
6 condition; to provide for technical assistance; to provide for the promulgation of rules and
7 regulations; to provide for definitions; to provide legislative findings and purpose; to provide
8 for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 1 of Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to
12 general provisions regarding early care and learning, is amended by adding a new Code
13 section to read as follows:

14 "20-1A-19.

15 (a) The General Assembly finds and declares that it is in the public interest that child care
16 providers have access to capital for repairs, renovations, and expansion of their facilities,
17 particularly in rural areas, to the maximum extent practicable to improve economic and

S. B. 554

- 1 -

18 social conditions. It is the purpose of this Code section, therefore, to provide grants to
19 increase the capacity of child care facilities of this state, and it is the intention of the
20 General Assembly that this Code section be liberally construed to carry out such purpose.

21 (b) As used in this Code section, the term:

22 (1) 'Program' means the Georgia Child Care Facilities Program established by this Code
23 section.

24 (2) 'Rural county' means a county in this state that has a population of less than 50,000
25 according to the United States decennial census of 2020 or any future such census.

26 (c) No later than July 1, 2027, the department shall create and administer a grant program
27 to be known as the Georgia Child Care Facilities Program for the establishment and
28 expansion of facilities for child care learning centers and family child care learning homes
29 licensed by the department.

30 (d)(1) The department shall establish criteria for the award of grants for the program,
31 which shall be determined upon a competitive basis, and shall prioritize applications
32 which demonstrate one or more of the following:

33 (A) Participation in Georgia's Childcare and Parent Services (CAPS) program;

34 (B) Participation in Georgia's Pre-K Program; or

35 (C) Meets two or more of the following criteria:

36 (i) The applicant is located in a rural county and demonstrates a need to expand
37 access to licensed child care and preschool programs in such county by the ratio of
38 children in licensed child care and preschool programs to the total number of children
39 from six weeks to 13 years of age;

40 (ii) The applicant is located in a school district with low reading proficiency as
41 demonstrated with a percentage of third grade students in such school district with a
42 score of proficient learner or above on the most recent English Language Arts (ELA)
43 milestones assessment lower than the state average for such assessment;

44 (iii) The applicant serves children from birth to five years of age in disability
45 inclusive environments as defined by the department; or

46 (iv) The applicant participates in a federal nutrition program, including, without
47 limitation, the Child and Adult Care Food Program authorized under 7 C.F.R. 226 or
48 the Summer Food Service Program authorized under 7 C.F.R. 225.

49 (2) The department shall publish the application process and grant criteria on its website.

50 (e)(1) Grants awarded pursuant to this Code section shall be subject to appropriations by
51 the General Assembly or other available funding and shall be used to:

52 (A) Construct new child care learning centers or family child care learning homes;

53 (B) Retrofit, renovate, repair, or modernize existing child care learning centers or
54 family child care learning homes in a manner that will result in increased capacity;

55 (C) Retrofit, renovate, repair, or modernize existing facilities for use as new child care
56 learning centers or family child care learning homes; or

57 (D) Provide for nonrecurring costs to increase the utilization of existing licensed child
58 care capacity.

59 (2) The department shall be authorized to establish the amounts associated with grants
60 awarded pursuant to this Code section based on factors that include, without limitation,
61 the scope of the project, regional costs, the provision of inclusive environments, or the
62 need to meet licensing requirements or health and safety standards.

63 (f) As a condition of receipt of grant funds awarded pursuant to this Code section, the
64 recipient shall enter into a contract with the department that provides the recipient will
65 remain operational as a licensed child care learning center or licensed family child care
66 learning home for at least five consecutive years after receipt of the initial grant award and
67 may include a provision for repayment of grant funds if such condition is not met.

68 (g) The department shall make technical assistance available to grantees, including but not
69 limited to, support for project development, business, licensing, operations, and

70 coordination of funding sources. Such technical assistance may be provided by the
71 department directly or by an organization funded by the department.

72 (h) A grantee that does not own the facility for which grant funds are requested shall
73 maintain a lease, or other legally enforceable right of occupancy, with a minimum
74 remaining term of five years as a condition of eligibility.

75 (i) In any given fiscal year, the department may allocate up to 25 percent of the total
76 moneys available in the grant fund to be held in reserve for administration and technical
77 assistance expenses associated with the program.

78 (j) The department shall promulgate rules and regulations necessary to implement this
79 Code section."

80 **SECTION 2.**

81 All laws and parts of laws in conflict with this Act are repealed.