



Substitute House Bill No. 5002

Public Act No. 24-91

AN ACT CONCERNING EARLY CHILDHOOD CARE AND EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-511 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[The Comptroller shall establish] (a) There is established the Early Childhood Care and Education Fund. Said fund may contain any moneys required or permitted by law to be deposited in the fund and [any funds received from any public or private contributions, gifts, grants, donations, bequests or devises to the fund.] shall receive and hold all payments and deposits for contributions intended for said fund, as well as gifts, bequests, endowments or federal, state or local grants and any other funds from any public or private source and all earnings until disbursed in accordance with the provisions of this section.

(b) The amounts on deposit in said fund shall not constitute property of the state and said fund shall not be construed to be a department, institution or agency of the state. Amounts on deposit in said fund shall not be commingled with state funds and the state shall have no claim to or against, or any interest in, such deposits. Any contract entered into

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by or any obligation of said fund shall not constitute a debt or obligation of the state and the state shall have no obligation to any person on account of said fund and all amounts obligated to be paid from said fund shall be limited to amounts available for such obligation on deposit in said fund. Said fund shall continue in existence as long as it holds any deposits or has any obligations and until its existence is terminated by law.

(c) The Treasurer shall invest the amounts on deposit in said fund in a manner reasonable and appropriate to achieve the objectives of said fund, exercising the discretion and care of a prudent person in similar circumstances with similar objectives. The Treasurer shall give due consideration to rate of return, risk, term or maturity, diversification of the total portfolio within said fund, liquidity, the projected disbursements and expenditures and the expected payments, deposits, contributions and gifts to be received. The Treasurer shall not require said fund to invest directly in obligations of the state or any political subdivision of the state or in any investment or other fund administered by the Treasurer. The assets of said fund shall be continuously invested and reinvested in a manner consistent with the objectives of said fund until disbursed by the Comptroller in accordance with the provisions of this section.

(d) The Treasurer, on behalf of said fund and for purposes of said fund, may:

(1) Receive and invest moneys in said fund in any instruments, obligations, securities or property in accordance with this section;

(2) Enter into one or more contractual agreements, including contracts for legal, actuarial, accounting, custodial, advisory, management, administrative, advertising, marketing and consulting services for said fund and pay for such services from the assets of said fund;

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(3) Procure insurance in connection with said fund's property, assets, activities or deposits to said fund;

(4) Apply for and accept gifts, grants or donations from public or private sources to enable said fund to carry out its objectives;

(5) Adopt regulations in accordance with chapter 54 for purposes of this section;

(6) Sue and be sued;

(7) Establish one or more accounts within said fund; and

(8) Take any other action necessary to carry out the purposes of this section and incidental to the duties imposed on the Treasurer pursuant to this section.

(e) The amounts on deposit in said fund shall be used for the purposes of supporting early childhood education in, and child care needs of, the state and shall not be expended for any other purpose.

Sec. 2. (NEW) (*Effective from passage*) (a) (1) There is established the Early Childhood Care and Education Fund Advisory Commission, which shall be part of the Legislative Department. The commission shall review and report on the financial health and status of the Early Education Childhood Fund, submit and update a five-year plan to the General Assembly on expenditures from said fund that would best support early childhood education in, and child care needs of, the state and make recommendations for legislative changes to further the purposes of said fund.

(2) The commission shall consist of the following members:

(A) Two appointed by the speaker of the House of Representatives, (i) one of whom shall be a parent who is a member of the parent cabinet established by the Office of Early Childhood pursuant to section 10-500

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of the general statutes, and (ii) one of whom shall be an early childhood teacher;

(B) Two appointed by the president pro tempore of the Senate, (i) one of whom shall be an operator or a representative of a home-based child care services provider in the state, and (ii) one of whom shall be the parent of a child receiving services under the birth-to-three program established under section 17a-248b of the general statutes;

(C) Two appointed by the majority leader of the House of Representatives, (i) one of whom shall be a representative of an early childhood education program operator in the state, and (ii) one of whom shall be a representative of a family resource center described under section 10-4o of the general statutes and who is a member of the Early Childhood Cabinet established pursuant to section 10-16z of the general statutes;

(D) Two appointed by the majority leader of the Senate, (i) one of whom shall be a representative of a philanthropic organization that is (I) engaged in early childhood education issues or child care issues in the state, and (II) a member of the Early Childhood Funder Collaborative, and (ii) one of whom shall be a representative of the Connecticut Head Start State Collaboration Office within the Office of Early Childhood and who is a member of the Early Childhood Cabinet established pursuant to section 10-16z of the general statutes;

(E) Two appointed by the minority leader of the House of Representatives, (i) one of whom shall be a representative of a non-home-based child care services provider in the state, and (ii) one of whom shall be a representative of the Office of Early Childhood and who administers the Childhood Care and Development Fund and who is a member of the Early Childhood Cabinet established pursuant to section 10-16z of the general statutes;

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(F) Two appointed by the minority leader of the Senate, (i) one of whom shall be a representative of a corporation with a significant physical presence in the state and that employs individuals who may benefit from early childhood education and state child care initiatives, and (ii) one of whom shall be a representative of the Office of Early Childhood and who administers Part C of the Individuals with Disabilities Education Act, 20 USC 1431 et. seq., as amended from time to time;

(G) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding;

(H) One member of the General Assembly appointed by the speaker of the House of Representatives and one member of the General Assembly appointed by the president pro tempore of the Senate;

(I) The commissioners of Early Childhood and Education, or their designees;

(J) The Secretary of the Office of Policy and Management, or the secretary's designee;

(K) The Treasurer, or the Treasurer's designee; and

(L) The Comptroller, or the Comptroller's designee.

(3) Each appointed member shall serve in accordance with the provisions of section 4-1a of the general statutes and the appointing authorities shall appoint members to ensure representation on the commission of all geographic areas in the state, to the extent practicable.

(4) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding shall serve as administrative staff of the

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commission.

(5) The members appointed under subparagraph (H) of subdivision (2) of this subsection and the Comptroller shall serve as the chairpersons of the commission. Such chairpersons shall schedule the first meeting of the commission, which shall be held not later than ninety days after the effective date of this section. The commission shall meet as often as deemed necessary by the chairpersons or a majority of the commission. Any appointed member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from the commission.

(6) Any vacancy shall be filled by the appointing authority. Any vacancy occurring other than by expiration of term shall be filled for the balance of the unexpired term.

(7) A majority of the commission shall constitute a quorum for the transaction of any business.

(8) (A) The members of the commission shall serve without compensation, but shall, within the limits of available funds, be reimbursed for travel expenses necessarily incurred in travelling to and from a commission meeting, except that the following members shall be eligible, within the limit of available funds, for a stipend of twenty-five dollars for each hour or portion thereof that such member attends a commission meeting:

(i) The parent member of the parent cabinet established by the Office of Early Childhood and the parent of a child receiving services under the birth-to-three program;

(ii) The early childhood teacher;

(iii) The representative of an early childhood education program operator, provided such representative is an employee of such program

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operator and is compensated by such program operator on an hourly basis;

(iv) The representative of a non-home-based child care services provider, provided such representative is an employee of such provider and is compensated by such provider on an hourly basis; and

(v) The operator or representative of a home-based child care services provider, provided such representative is an employee of such provider.

(B) The time spent by a member under subparagraph (A)(i) to (A)(v), inclusive, of this subdivision to travel to and from such meeting shall not be counted for purposes of calculating the stipend under this subdivision.

(C) Each member seeking the travel expenses or stipend under this subdivision shall submit a request to the executive director of the Office of Legislative Management, in such form and manner as prescribed by said director, and shall provide any documentation required by said director to substantiate the requested amount.

(b) The commission shall have the following powers and duties:

(1) Review and monitor the Early Childhood Care and Education Fund to assess its financial sustainability;

(2) Obtain from any executive department, board, commission or other agency of the state such assistance and data as necessary and available to carry out the purposes of this section; and

(3) Perform such other acts as may be necessary and appropriate to carry out the duties described in this section.

(c) The commission shall:

(1) Not later than January 1, 2026, and annually thereafter, submit a

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report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding, education and children, on the financial health and status of the Early Childhood Care and Education Fund, including, but not limited to, (A) the amounts on deposit in said fund, (B) disbursements made or expected to be made from said fund for the applicable fiscal year, (C) the rates of return on investments made by the Treasurer pursuant to subsection (c) of this section, (D) a statement as to the sufficiency of the amounts on deposit in said fund to achieve the purposes of said fund, and (E) any recommendations for policy changes and amendments to the general statutes necessary to further the purposes of said fund;

(2) Not later than January 1, 2026, submit a five-year plan, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding, education and children, of recommendations of expenditures from said fund that would best support early childhood education in, and child care needs of, the state. The commission shall, in developing such plan, consider reports on the state of (A) early childhood care and education in the state, and (B) kindergarten readiness in the state, as well as best practices in other states. The commission shall update such plan at least annually and submit such updated plan annually to said committees; and

(3) Commencing with the fiscal year ending June 30, 2026, hold a public hearing annually on the state of the fund and of early childhood education and child care in the state.

Sec. 3. (NEW) (*Effective July 1, 2024*) (a) The Office of Early Childhood shall, within available appropriations, establish a Tri-Share Child Care Matching Program serving New London County. Under such program,

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costs for child care provided by duly licensed child care facilities in the state shall be shared equally among participating employers, employees and the state.

(b) (1) The program shall be established for a minimum of two years and the office shall select a regional or state-wide organization as the administrator of the program. Such administrator shall (A) determine employers' and employees' eligibility for participation in the program, (B) ensure that child care facilities to which payments will be made under the program are licensed by the state, (C) collect and ensure timely payment from participating employers, participating employees and the state, (D) disburse funds to the appropriate child care provider, (E) recruit employers to participate in the program, (F) coordinate adequate communication between all parties, and (G) collect and submit to the Office of Early Childhood data concerning participating employees, including, but not limited to, the annual household income of such employees, provided any such submitted data shall be deidentified.

(2) To be eligible to participate in the program:

(A) An employer shall have a physical facility located in New London County that is the principal workplace of its employees; and

(B) An employee shall (i) be employed by a participating employer, (ii) reside in the state, (iii) have as such employee's principal workplace a location in New London County, and (iv) not be receiving other public assistance for child care costs.

(c) The Commissioner of Early Childhood shall enter into an agreement with such administrator to perform the duties described under subdivision (1) of subsection (b) of this section. Such agreement shall include, but need not be limited to, (1) a provision that the administrator shall receive, for administrative costs of the program, up

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to ten per cent of the funds allocated by the state for the program, (2) a requirement that the administrator not commingle funds received for purposes of the program, other than funds for administrative costs allowed pursuant to subdivision (1) of this subsection, with other funds held or controlled by the administrator, (3) any restrictions or prohibitions on the disclosure of data received or collected by the administrator in the performance of its duties under subdivision (1) of subsection (b) of this section, and (4) penalties for violation of a provision of the agreement or of this section.

(d) Commencing with the fiscal year immediately following the first year of the program and annually thereafter, the commissioner shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding, education and children, a report on the program. Such report shall include, but need not be limited to, (1) for the fiscal year immediately preceding, (A) the number of participating employers and participating employees, (B) the percentage of participating employees whose household incomes are below the asset limited, income constrained, employed population threshold, as calculated in the most recent ALICE report by the United Way of Connecticut, and (C) the amounts disbursed by the administrator for child care costs and the amounts retained by the administrator for administrative costs, and (2) any programmatic or legislative changes the commissioner recommends to improve the program or further its purposes.

Sec. 4. (*Effective from passage*) (a) As used in this section:

(1) "Early childhood teacher" means an individual in a state-funded school readiness program or in a state-funded child care program, (A) who has primary responsibility for a classroom of children, (B) who is regularly scheduled in such capacity and has been employed in such capacity by such program for at least six months as of the time of

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submitting an application under subsection (c) of this section, and (C) whose duties in such capacity equal at least fifty per cent of the assigned time of such individual;

(2) "Teacher assistant" means an individual in a state-funded school readiness program or in a state-funded child care program, (A) whose primary duty is to assist an early childhood teacher in the provision of early childhood care or as part of a school readiness program, and (B) who is regularly scheduled in such capacity and has been employed in such capacity by such program for at least six months as of the time of submitting an application under subsection (c) of this section; and

(3) "School readiness program" has the same meaning as provided in section 10-16p of the general statutes.

(b) (1) For the fiscal year ending June 30, 2025, the Office of Early Childhood shall establish and administer a wage supplement payment program to provide a one-time payment of not less than one thousand eight hundred dollars to eligible early childhood teachers and teacher assistants, provided each eligible applicant receiving a payment under the program shall receive the same payment amount. Such payments shall be provided on a first-come first-served basis up to the amount made available for such payments pursuant to subsection (d) of this section.

(2) To the extent permissible under federal law, payments made under this section shall not be considered income or an asset for the purposes of determining eligibility for any state-administered public assistance program, including any HUSKY program described in section 17b-290 of the general statutes.

(c) The Commissioner of Early Childhood shall determine (1) an application period for early childhood teachers and teacher assistants to apply to the Office of Early Childhood to register for a wage supplement

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payment, (2) the form and manner of such application, and (3) the form and manner of disseminating information about the program to best achieve the purposes of this section. The office shall review the applications submitted pursuant to this section and confirm the eligibility of the applicant to receive such payment. Not later than thirty days after the office receives an application, the office shall notify the applicant whether such applicant is approved for such payment and if such applicant is not approved, the office shall provide the reason or reasons why.

(d) The sum of nine million dollars of the amount appropriated in section 1 of public act 23-204 to the Office of Early Childhood for the fiscal year ending June 30, 2025, for Early Care and Education and used by said office for school readiness and child day care purposes, shall be used to fund the wage supplement payments provided pursuant to this section.

(e) Not later than October 1, 2025, the Commissioner of Early Childhood shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding, education and children, a report on the program. Such report shall include, but need not be limited to, (1) the number of early childhood teachers and the number of teacher assistants that submitted applications, (2) the number of such applicants who were approved for a wage supplement payment, (3) the amounts of the payments made to eligible early childhood teachers and to eligible teacher assistants and the total amount disbursed under the program, and (4) a recommendation of whether such program should be expanded or extended.

Sec. 5. Subsection (c) of section 4b-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

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(c) Not later than thirty days after receipt of such notification from the secretary, the following agencies shall determine and notify the secretary in writing if the land, improvement or interest serves the following needs: (1) The Commissioner of Economic and Community Development, whether it can be used or adapted for economic development or exchanged for property that can be used for economic development; (2) the Commissioner of Transportation, whether it can be used for transportation purposes; (3) the Commissioner of Energy and Environmental Protection, whether it can be used for open space purposes or to otherwise support the department's mission; (4) the Commissioner of Agriculture, whether it can be used for farming or agricultural purposes; (5) the Commissioner of Veterans Affairs, whether it can be used for veterans' housing; (6) the Commissioner of Children and Families, whether it can be used to support the department's mission; (7) the Commissioner of Developmental Services, whether it can be used to support the department's mission; (8) the Commissioner of Administrative Services, whether it can be used to house state agencies or can be leased; [and] (9) the Commissioner of Housing, whether it can be used as an emergency shelter or transitional living facility for homeless persons, or used for the construction, rehabilitation or renovation of housing for persons and families of low and moderate income; and (10) the Commissioner of Early Childhood, whether it can be used for the provision of early childhood care and early childhood education programs. Not later than thirty days after receipt of such notification from the secretary, any state agency, department or institution that is interested in utilizing the land, improvement or interest shall submit a plan to the secretary that sets forth the proposed use for the land, improvement or interest and a budget and timetable for such use. If one or more agencies, departments or institutions submit a plan for such land, improvement or interest to the secretary within such thirty-day period, the secretary shall analyze such agency, department or institution plan or plans and determine whether custody and control of the land, improvement or interest shall

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be transferred to one of such agencies, departments or institutions, in which case the agency, department or institution having custody of the land, improvement or interest shall make such transfer.

Sec. 6. (NEW) (*Effective from passage*) Not later than December 1, 2024, the Commissioner of Early Childhood shall, in consultation with a nonprofit organization providing entrepreneurial and financial education services to women, develop a document for distribution to each person, group of persons, association, organization, corporation, institution or agency licensed to maintain a child care center or group child care home pursuant to section 19a-80 of the general statutes or family child care home pursuant to section 19a-87b of the general statutes, explaining the benefits of maintaining liability insurance coverage for such center or home and the potential consequences that may result in the absence of such coverage. Not later than January 1, 2025, and annually thereafter, the commissioner shall distribute such document electronically to each such licensee.

Sec. 7. Section 10-514 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) Not later than January 1, 2020, the Office of Early Childhood shall create a one-page document that (1) lists important developmental milestones experienced by children ages birth to five years, and (2) contains notice that any parent or guardian who is concerned that such parent or guardian's child has not met one or more such developmental milestones may access the Office of Early Childhood Child Development Infoline for information concerning appropriate services. The office shall make such document available on its Internet web site.

(b) On and after [February 1, 2020] July 1, 2024, each operator of a child care center, group child care home or family child care home, as described in section 19a-77, other than those centers or homes that serve school-age children exclusively, shall post a copy of the document

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developed pursuant to subsection (a) of this section in a conspicuous place on the premises of such child care center, group child care home or family child care home.

Sec. 8. Subsection (a) of section 17b-749 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) The Commissioner of Early Childhood shall establish and operate a child care subsidy program to increase the availability, affordability and quality of child care services for families with a parent or caretaker who (1) is (A) working or attending high school, or (B) subject to the provisions of subsection (d) of this section, is enrolled or participating in (i) a public or independent institution of higher education, (ii) a private career school authorized pursuant to sections 10a-22a to 10a-22o, inclusive, (iii) a job training or employment program administered by a regional workforce development board, (iv) an apprenticeship program administered by the Labor Department's office of apprenticeship training, (v) an alternate route to certification program approved by the State Board of Education, (vi) an adult education program pursuant to section 10-69 or other high school equivalency program, or (vii) a local Even Start program or other adult education program approved by the Commissioner of Early Childhood; or (2) receives cash assistance under the temporary family assistance program from the Department of Social Services and is participating in an education, training or other job preparation activity approved pursuant to subsection (b) of section 17b-688i or subsection (b) of section 17b-689d. Services available under the child care subsidy program shall include the provision of child care subsidies for children under the age of thirteen or children under the age of nineteen with special needs. The Commissioner of Early Childhood may institute a protective service class in which the commissioner may waive eligibility requirements for at-risk populations that meet the guidelines prescribed by the commissioner,

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and subject to review by the Secretary of the Office of Policy and Management. Such at-risk populations are children (A) placed in a foster home by the Department of Children and Families and for whom the parent or legal guardian receives foster care payments, (B) adopted [children for one year from the date of adoption and] through the Department of Children and Families, (C) who are homeless children and youths, as defined in 42 USC 11434a, as amended from time to time, and (D) under the care of a caregiver who is a recipient of subsidies under the subsidized guardianship program pursuant to section 17a-126. Any child described in subparagraph (B) of this subdivision shall be eligible for a subsidy under this section for a period not to exceed one year from the date of adoption and any child described in subparagraph (D) of this subdivision shall be eligible for a subsidy under this section for a period not to exceed one year from the date that such child is approved for a subsidy under this section. The Office of Early Childhood shall open and maintain enrollment for the child care subsidy program and shall administer such program within the existing budgetary resources available. The office shall issue a notice on the office's Internet web site any time the office closes the program to new applications, changes eligibility requirements, changes program benefits or makes any other change to the program's status or terms, except the office shall not be required to issue such notice when the office expands program eligibility. Any change in the office's acceptance of new applications, eligibility requirements, program benefits or any other change to the program's status or terms for which the office is required to give notice pursuant to this subsection, shall not be effective until thirty days after the office issues such notice.

Sec. 9. Subsection (h) of section 17b-749 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(h) [On or after July 1, 2014, the commissioner shall adopt regulations,

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in accordance with the provisions of chapter 54, to implement the provisions of this section] On and after July 1, 2024, the commissioner shall implement the provisions of 45 CFR 98, as amended from time to time, to administer the child care subsidy program. The commissioner shall develop policies and procedures necessary to implement the provisions of this section.

Sec. 10. (NEW) (*Effective July 1, 2024*) (a) As used in this section:

(1) "Early intervention services" has the same meaning as provided in section 17a-248 of the general statutes; and

(2) "Individualized family service plan" has the same meaning as provided in section 17a-248 of the general statutes.

(b) A licensed child care center, group child care home or family child care home, as such terms are described in section 19a-77 of the general statutes, shall allow a child who has an individualized family service plan and is eligible for the birth-to-three program, established under section 17a-248b of the general statutes, to receive early intervention services at such child care center, group child care home or family child care home from the service provider designated in such individualized family service plan.

Sec. 11. (*Effective July 1, 2024*) Not later than October 1, 2024, the Secretary of the State shall update the official compilation of the regulations of Connecticut state agencies posted on the eRegulations System to comply with the provisions of chapter 54 of the general statutes and section 12 of this act.

Sec. 12. (*Effective July 1, 2024*) Notwithstanding the provisions of chapter 54 of the general statutes, sections 17b-749-01 to 17b-749-23, inclusive, of the regulations of Connecticut state agencies are repealed.

Sec. 13. Section 10-511a of the 2024 supplement to the general statutes

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is repealed. (*Effective from passage*)

Approved June 4, 2024