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(38th)

To: Economic Dev, Tourism
and Parks;
Appropriations

SENATE BILL NO. 2345

1 AN ACT TO CREATE THE MISSISSIPPI QUALIFIED CHILD DAY CARE
2 GRANT PROGRAM TO PROVIDE SERVICE GRANTS TO MISSISSIPPI QUALIFIED
3 CHILD CARE PROVIDERS; TO PROVIDE THAT SUCH PROGRAM SHALL BE
4 ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ECONOMIC AND
5 COMMUNITY DEVELOPMENT; TO PRESCRIBE THE PROCEDURE TO APPLY FOR
6 SERVICE GRANTS; TO PROVIDE THE PURPOSES FOR WHICH SUCH GRANTS MAY
7 BE USED; TO ESTABLISH AN ADVISORY PANEL TO REVIEW AND MAKE
8 RECOMMENDATIONS ON THE AWARDING OF SERVICE GRANTS; TO CREATE A
9 SPECIAL FUND TO BE KNOWN AS THE MISSISSIPPI QUALIFIED CHILD DAY
10 CARE GRANT PROGRAM FUND INTO WHICH ALL MONEY RECEIVED FROM
11 LEGISLATIVE APPROPRIATION PURSUANT TO THIS ACT SHALL BE DEPOSITED;
12 AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. This act may be cited as the Mississippi
15 Qualified Child Day Care Grant Program.

16 SECTION 2. The purpose of this act is to make grants
17 available to child day care providers for the purpose of financing
18 the development and expansion of child day care centers for
19 families with an income not exceeding two hundred percent (200%)
20 of the federal poverty level, and to increase the quality and
21 availability of child day care and employment opportunities for
22 these families.

23 SECTION 3. As used in this act:

24 (a) "DECD" means the Department of Economic and
25 Community Development.

26 (b) "Designated entity" means an entity designated to

27 administer the Mississippi Qualified Child Day Care Grant Program
28 Fund pursuant to Section 5 of this act.

29 (c) "Child day care provider" means a person providing
30 or planning to provide child day care to families with an income
31 not exceeding two hundred percent (200%) of the federal poverty
32 level.

33 (d) "Fund" means the Mississippi Qualified Child Day
34 Care Grant Program Fund.

35 SECTION 4. There is created in the State Treasury a special
36 fund to be known as the "Mississippi Qualified Child Day Care
37 Grant Program Fund," into which shall be deposited such money as
38 the Legislature may provide by appropriation and any other money
39 received by DECD for the purposes of this act from any other
40 source. Money in the fund shall be used by qualifying child day
41 care providers for the purposes authorized under this act. The
42 fund shall be administered by DECD or a designated entity and
43 money in the fund shall be expended upon appropriation by the
44 Legislature. Unexpended amounts remaining in the fund at the end
45 of the state fiscal year shall not lapse into the State General
46 Fund, and any interest earned on amount in the fund shall be
47 deposited to the credit of the fund.

48 SECTION 5. DECD shall:

49 (a) Administer the fund or designate an appropriate
50 entity to administer the fund.

51 (b) Develop a simple, user-friendly grant application
52 process and such process shall be managed in accordance with the
53 policies DECD establishes.

54 (c) Monitor projects to ensure compliance with
55 applicable state and federal laws, rules and relevant court
56 decisions.

57 SECTION 6. (1) Any Mississippi qualified child care

58 provider desiring to participate in the program shall make
59 application for a grant to the DECD in a form satisfactory to the
60 DECD. The DECD shall receive grant proposals from Mississippi
61 qualified child care providers. All proposals shall be submitted
62 in accordance with the provisions of grant procedures, criteria
63 and standards developed and made public by the DECD. All
64 application forms shall be simple and user-friendly.

65 SECTION 7. Grants awarded under this act may be made only
66 for the following reasons:

67 (a) The construction, purchase, lease or improvement of
68 buildings or other facilities.

69 (b) The purchase or improvement of land.

70 (c) The purchase or lease of equipment, including
71 vehicles.

72 (d) Start-up and operation costs.

73 (e) Initial operating expenses.

74 (f) Providing direct services to qualified families
75 under this act or expanding existing direct services to such
76 families.

77 SECTION 8. Grants under this act shall be subject to the
78 following restrictions:

79 (a) A grant shall not be awarded in an amount greater
80 than One hundred Thousand Dollars (\$100,000.00).

81 (b) Each Mississippi qualified child care provider
82 receiving a service grant shall provide a yearly report to the
83 DECD which details the number of children who are cared for and
84 the types of services that are provided.

85 SECTION 9. In determining whether to award a grant to a

86 child day care provider who has a history of operating or owning a
87 child day care center DECD or the designated entity shall use the
88 following criteria:

- 89 (a) Quality of programming and staff.
- 90 (b) Ratio of children to staff.
- 91 (c) Quality of facilities.
- 92 (d) Quality of administrative and financial management.
- 93 (e) History of compliance with child day care licensing
94 or registration requirements.

95 SECTION 10. DECD shall formulate criteria to be utilized in
96 determining whether to grant funds to a child day care provider
97 that does not have a history of operating or owning a child day
98 care center.

99 SECTION 11. An applicant for a grant under this act shall
100 supply DECD or the designated entity with the following:

- 101 (a) A detailed description of the project.
- 102 (b) A disclosure of additional funds, if any, that are
103 available to the applicant.
- 104 (c) Information that relates to the inability of the
105 applicant to obtain adequate financing on reasonable terms through
106 normal lending channels.
- 107 (d) Credit references, if available, for the applicant.
- 108 (e) A five-year projected budget.
- 109 (f) A comprehensive business plan that includes the
110 applicant's plans in the areas of:
 - 111 (i) Debt reduction;
 - 112 (ii) Marketing;
 - 113 (iii) Staff training;

114 (iv) Facility improvement; and

115 (v) Program improvement.

116 (g) Such other information as DECD may require.

117 SECTION 12. (1) The DECD shall establish an advisory
118 council to review and make recommendations to the DECD on the
119 awarding of any grants to Mississippi qualified child care
120 providers. Such recommendations by the advisory council shall not
121 be binding upon the DECD, but when a recommendation by the
122 advisory council is not followed by the DECD, the DECD shall place
123 in its minutes reasons for not accepting the advisory council's
124 recommendation, and provide for an appeals process. All approved
125 grants shall be awarded within thirty (30) days of approval by the
126 DECD.

127 (2) The composition of the advisory council shall be the
128 following:

129 (a) One (1) employee of the DECD, with experience in
130 reviewing and writing grant proposals;

131 (b) Two (2) executive employees of Mississippi
132 qualified child care providers;

133 (c) One (1) employee of the State Department of Health
134 with experience in child care facility licensure;

135 (d) One (1) child care provider who is not affiliated
136 with a Mississippi qualified child care center but has training
137 and experience in child care.

138 (3) The DECD may use a portion of any grant monies received
139 under this act to administer the program and to pay reasonable
140 expenses incurred by the advisory council; provided, however, in
141 no case shall more than one and one-half percent (1-1/2%) or Sixty

142 Thousand Dollars (\$60,000.00) annually, whichever is less, be used
143 to absorb program expenses.

144 (4) No assistance shall be provided to a Mississippi
145 qualified child care provider under this act unless the
146 Mississippi qualified child care provider certifies to the DECD,
147 that it will not discriminate against any employee or against any
148 applicant for employment because of race, religion, color,
149 national origin, sex or age.

150 SECTION 13. This act shall take effect and be in force from
151 and after July 1, 2000.