

1 AN ACT relating to the transfer of the Division of Child Care.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 151B IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The Division of Child Care is hereby created within the Education and*
6 *Workforce Development Cabinet.*

7 *(2) There shall be a director of the Division of Child Care. The director shall be*
8 *appointed by the secretary of the Education and Workforce Development Cabinet*
9 *under the provisions of KRS 12.050. The director shall have experience in child*
10 *care and supervision and shall have general supervision and direction over all*
11 *functions of the division and its employees, and shall be responsible for carrying*
12 *out the programs and policies of the division.*

13 *(3) The division shall support quality child care through programs and plans that*
14 *promote the improvement and expansion of statewide child care services and*
15 *resources. The division also shall provide program coordination for subsidy*
16 *payments, coordination of professional development and training, and*
17 *development of policies and procedures.*

18 *(4) The division shall have the authority to promulgate administrative regulations to*
19 *implement the provisions of this section.*

20 ➔Section 2. KRS 199.8983 is amended to read as follows:

21 (1) There is hereby created the Kentucky Child Care Advisory Council to be composed
22 of eighteen (18) members. The members appointed by the Governor shall serve a
23 term of three (3) years. The appointed members of the council shall be
24 geographically and culturally representative of the population of the
25 Commonwealth. For administrative purposes, the council shall be attached to the
26 department. The members shall be as follows:

27 (a) The commissioner of the department, or designee;

- 1 (b) Four (4) members appointed by the Governor representing child-care center
2 providers licensed pursuant to this chapter;
- 3 (c) Two (2) members appointed by the Governor representing family child-care
4 home providers licensed pursuant to this chapter;
- 5 (d) Three (3) members appointed by the Governor who are parents, de facto
6 custodians, guardians, or legal custodians of children receiving services from
7 child-care centers or family child-care homes licensed pursuant to this
8 chapter;
- 9 (e) Three (3) members appointed by the Governor from the private sector who are
10 knowledgeable about education, health, and development of children;
- 11 (f) The director of the Division of Child Care within the *Education and*
12 *Workforce Development Cabinet*~~[department]~~, or designee, as a nonvoting ex
13 officio member;
- 14 (g) The commissioner of education, Education and Workforce Development
15 Cabinet, or designee, as a nonvoting ex officio member;
- 16 (h) The executive director of the Governor's Office of Early Childhood, or
17 designee, as a nonvoting ex officio member;
- 18 (i) The commissioner of the Department for Public Health within the cabinet, or
19 designee, as a nonvoting ex officio member; and
- 20 (j) The state fire marshal, Public Protection Cabinet, or designee, as a nonvoting
21 ex officio member;
- 22 (2) The council shall have two (2) co-chairpersons. One (1) co-chairperson shall be the
23 commissioner of the department, or designee, and one (1) co-chairperson shall be
24 elected by the voting members of the council.
- 25 (3) Members shall serve until a successor has been appointed. If a vacancy on the
26 council occurs, the Governor shall appoint a replacement for the remainder of the
27 unexpired term.

1 (4) Members shall serve without compensation but shall be reimbursed for reasonable
2 and necessary expenses in accordance with state travel expenses and reimbursement
3 administrative regulations.

4 (5) The council shall meet at least quarterly and at other times upon call of the co-
5 chairpersons.

6 (6) The council shall advise the cabinet on matters affecting the operations, funding,
7 and licensing of child-care centers and family child-care homes. The council shall
8 provide input and recommendations for ways to improve quality, access, and
9 outcomes.

10 (7) The council shall make an annual report by December 1 that provides summaries
11 and recommendations to address the availability, affordability, accessibility, and
12 quality of child care in the Commonwealth. A copy of the annual report shall be
13 provided to the secretary, the Governor, the Legislative Research Commission, and
14 the Interim Joint Committee on Health and Welfare.

15 ➔Section 3. The Division of Child Care within the Department for Community
16 Based Services of the Cabinet for Health and Family Services is abolished. All personnel,
17 records, files, equipment, and funds of the division shall be transferred to the Division of
18 Child Care within the Education and Workforce Development Cabinet established in
19 Section 1 of this Act.