

1 HOUSE BILL 160

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Doreen Y. Gallegos and Karen C. Bash and Joanne J. Ferrary
5 and Linda M. Trujillo and Elizabeth "Liz" Thomson
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10 AN ACT

11 RELATING TO HUMAN SERVICES; ENACTING A NEW SECTION OF THE EARLY
12 CHILDHOOD CARE ACCOUNTABILITY ACT TO ESTABLISH ELIGIBILITY AND
13 COPAYMENT GUIDELINES; MAKING AN APPROPRIATION.
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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 **SECTION 1.** Section 32A-23C-1 NMSA 1978 (being Laws 2018,
17 Chapter 44, Section 1) is amended to read:

18 "32A-23C-1. SHORT TITLE.--~~[This act]~~ Chapter 32A, Article
19 23C NMSA 1978 may be cited as the "Early Childhood Care
20 Accountability Act"."

21 **SECTION 2.** A new section of the Early Childhood Care
22 Accountability Act is enacted to read:

23 "[NEW MATERIAL] MINIMUM REQUIREMENTS FOR CHILD CARE
24 ASSISTANCE--COPAYMENT RESTRICTION.--

25 A. The department shall make child care assistance

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1 available to any eligible family that initially applies for
2 child care assistance and whose monthly gross household income
3 does not exceed two hundred percent of the current federal
4 poverty level.

5 B. The department shall make child care assistance
6 available to any eligible family that applies for
7 recertification of child care assistance and whose monthly
8 gross household income is greater than two hundred percent of
9 the current federal poverty level but less than three hundred
10 percent of the current federal poverty level.

11 C. The department shall not require an eligible
12 family that has a gross household income that does not exceed
13 one hundred percent of the current federal poverty level to pay
14 any cost-sharing to receive child care assistance.

15 D. The secretary of the state agency that receives
16 federal child care assistance development block grant funds
17 shall adopt and promulgate rules that establish cost-sharing
18 guidelines for eligible families enrolled in child care
19 assistance; provided that for eligible families that have a:

20 (1) monthly gross household income that is
21 greater than two hundred percent of the current federal poverty
22 level, the cost-sharing payment shall not exceed fourteen
23 percent of the family's monthly gross household income; and

24 (2) monthly gross household income that
25 exceeds one hundred percent of the current federal poverty

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1 level and is less than or equal to two hundred percent of the
2 federal poverty level, the cost-sharing payment shall not
3 exceed seven percent of the family's monthly gross household
4 income."

5 SECTION 3. APPROPRIATION.--Forty million dollars
6 (\$40,000,000) is appropriated from the general fund to the
7 children, youth and families department for expenditure in
8 fiscal year 2020 to fund child care assistance for eligible
9 families. Any unexpended or unencumbered balance remaining at
10 the end of fiscal year 2020 shall revert to the general fund.

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