AN ACT

To amend and reenact R.S. 36:474(A)(11) and to enact Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1443 through 1443.3, relative to child care assistance for homeless families; to provide for requirements of the Child Care and Development Fund state plan; to provide for duties of the Department of Children and Family Services; to provide findings, purposes, and definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:474(A)(11) is hereby amended and reenacted to read as follows:

§474. Powers and duties of the secretary of the Department of Children and Family Services

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

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(11) Except as provided in Subsection G of this Section, prepare and submit a state plan for participation in the Child Care and Development Block Grant Program and in the Title IV-A federal program to assist families at risk of welfare dependency. The secretary shall ensure that the Child Care and Development Fund plan of this state conforms with the requirements of the Improving Access to Child Care for Homeless Louisiana Families Act, R.S. 46:1443 et seq. The joint House Committee on Health and Welfare and the Senate Committee on Health and Welfare, jointly, shall serve as an advisory committee to the secretary to begin developing the state plan.

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Section 2. Chapter 14-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1443 through 1443.3, is hereby enacted to read as follows:

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
CHAPTER 14-D. ACCESS TO CHILD CARE FOR HOMELESS FAMILIES

§1443. Short title

This Chapter shall be known and may be cited as the "Improving Access to Child Care for Homeless Louisiana Families Act".

§1443.1. Definitions

As used in this Chapter, the following terms have the meaning ascribed to them in this Section:

(1) "Administration for Children and Families" and "ACF" mean the division of the United States Department of Health and Human Services which administers the Child Care and Development Block Grant.

(2) "Child Care and Development Fund" and "CCDF" mean the fund and program authorized by the Child Care and Development Block Grant Act and Section 418 of the Social Security Act to assist low-income families in obtaining child care.

(3) "Department" means the Department of Children and Family Services or its successor as administrator of the Child Care and Development Fund program in this state.

(4)(a) "Homeless" means lacking a fixed, regular, and adequate nighttime residence.

(b) For purposes of this Chapter, the term "homeless" shall encompass children and youths experiencing the particular conditions and situations provided for in Subtitle B of Title VII of the McKinney-Vento Education for Homeless Children and Youth Act, 42 U.S.C. 11434a(2).

§1443.2. Legislative findings; purposes

A. The Legislature of Louisiana hereby finds and declares the following:

(1) Families with minor children comprise a significant and growing segment of the homeless population of this state.

(2) As filed with the Administration for Children and Families, the Child Care and Development Fund plan of this state for the period October 1, 2013, through September 30, 2015, authorizes the same services for families experiencing
homelessness as for other low-income families. However, the plan does not address
other eligibility factors that may be a barrier for homeless families in seeking child
care assistance.

(3) Louisiana requires parents who receive subsidized child care to work or
attend school for a prescribed number of hours in a defined period as a condition of
receiving child care assistance but, unlike many other states, does not waive work
and education activity requirements for homeless parents.

(4) Compliance with work and education activity requirements, as is
mandated currently for homeless parents to receive child care assistance, is
disproportionately more burdensome for homeless parents than for parents with
stable housing, and creates unique risks to the safety and health of homeless children.

B. The purposes of this Chapter include, without limitation, the following:

(1) To mitigate barriers that Louisiana families experiencing homelessness
face in accessing child care.

(2) To reduce the incidence of developmental delays and physical and mental
health problems among young children who experience homelessness by providing
access to quality child care.

§1443.3. Child Care and Development Fund state plan; access by homeless families
to child care assistance

A. In order to fulfill the purposes of this Chapter, the secretary of the
department shall take such actions as are necessary to accomplish all of the
following:

(1) Ensure that services to families experiencing homelessness are included
within the CCDF plan of this state if allowable as a use of Child Care and
Development Block Grant funding pursuant to federal regulations.

(2) Establish a grace period of a defined duration in which a homeless family
can be authorized to receive subsidized child care pending submission of birth
certificates and immunization records, as long as all other eligibility factors are met.

(3) Waive requirements relative to hours of work and school engagement for
homeless parents who apply for child care assistance and demonstrate that they are
seeking employment or participating in a transitional living program for a period of
not less than ninety days and not more than one hundred eighty days from the
effective date of the certification for child care assistance.

(4) Collaborate and coordinate efforts with all of the following persons and
entities to improve access by homeless families to information concerning child care
and transportation to child care placements:

(a) Local child care programs.

(b) Local educational agency liaisons designated pursuant to the
McKinney-Vento Education for Homeless Children and Youth Act.

(c) Any other persons and entities that provide services to homeless families.

(5) Collect data that indicates whether parents who receive child care
subsidies are homeless.

B. The department shall promulgate rules in accordance with the
Administrative Procedure Act, institute departmental policies, secure requisite
federal approvals, and undertake any other actions as may be necessary to implement
the provisions of this Section.

Section 3. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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