

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING HIGH-QUALITY CHILD CARE BUSINESS
5 DEVELOPMENT GRANTS; ALLOWING THE DEPARTMENT OF COMMERCE TO ADMINISTER THE
6 PROGRAM; CREATING THE CHILD CARE BUSINESS DEVELOPMENT FUND; PROVIDING ELIGIBILITY;
7 PROVIDING RULEMAKING AUTHORITY; PROVIDING A STATUTORY APPROPRIATION; AND AMENDING
8 SECTION 17-7-502, MCA."
9

10 WHEREAS, the Bureau of Business and Economic Research at the University of Montana recently
11 conducted a survey to examine the adequacy of child care in Montana and found significant economic impacts
12 on Montana parents, employers, and taxpayers; and

13 WHEREAS, of the 404 households that responded, 57% reported that finding affordable child care is a
14 challenge, 46% reported leaving work in the previous month due to inadequate child care, and 44% of
15 respondents missed a full day of work in the previous month due to inadequate child care; and

16 WHEREAS, other impacts of inadequate child care included survey respondents who declined to
17 pursue further education or training, turned down a promotion or a job offer, reduced work hours from full-time
18 to part-time, and had been demoted, transferred to a less desirable position, or fired; and

19 WHEREAS, the economic impact for households earning \$30,000 or less annually was approximately
20 \$3,400, more than 10%, in lost wages; and

21 WHEREAS, the overall average economic impact in 2019 to the Montana economy included a \$5,700
22 loss to households, a \$2,150 loss to businesses, and a \$1,260 loss to taxpayers; and

23 WHEREAS, the overall total economic impact in 2019 that inadequate child care had on the state's
24 economy included a loss of \$145,146,000 to Montana households, \$54,562,000 to Montana businesses, and
25 \$32,036,000 to Montana taxpayers; and

26 WHEREAS, the aggregated 10-year burden on the Montana economy due to inadequate child care is
27 forecasted to be a cost of \$572 million to households, \$207 million to businesses, and \$128 million to
28 taxpayers, for a total aggregated 10-year burden of \$907 million from 2019 to 2028.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Child care business development fund and program -- rulemaking.

(1) There is a child care business development fund account in the state special revenue fund established in 17-2-102. The fund and program are administered by the department of commerce. The fund and program are established to provide child care business development grants to high-quality child care businesses.

(2) It is the intent of this section to require the department to create grants that stimulate high-quality, new child care businesses and growth for existing child care businesses.

(3) The revenue in the account is statutorily appropriated, as provided in 17-7-502, to the department of commerce. The department may accept federal funds granted by congress or by executive order and gifts, grants, and donations for any purpose of this section.

(4) The department of commerce may make rules to implement the provisions of this section.

(5) For the purposes of this section, the term "child care business" means an entity providing child day-care services as provided under Title 52, chapter 2, part 7. The business must follow industry standards as determined by the quality, rating, and improvement system that is described by the national association for the education of young children. The term includes a day-care, day-care center, and day-care facility as defined in 52-2-703.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

1 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-
 2 407; 5-13-403; 5-13-404; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310;
 3 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 15-1-121; 15-1-218; 15-31-1004; 15-31-1005; 15-35-108;
 4 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-
 5 106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410;
 6 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-
 7 107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-
 8 105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-
 9 503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-
 10 108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-
 11 214; 75-11-313; 75-26-308; 76-13-151; 76-13-150; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-
 12 416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-
 13 1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; [section 1]; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

14 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,
 15 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued
 16 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of
 17 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined
 18 by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have
 19 statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the
 20 inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement
 21 system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410
 22 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental
 23 benefit provided by 19-6-709; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion
 24 of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115
 25 terminates June 30, 2021; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on
 26 occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117
 27 terminates June 30, 2025; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates
 28 December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023;

1 pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to
2 sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L.
3 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the
4 inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017,
5 the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-
6 103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates
7 September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029;
8 pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027;
9 pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; and pursuant to sec. 5,
10 Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023.)"

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