

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 429**

**FISCAL  
NOTE**

By Senators Oliverio and Queen

[Introduced January 15, 2026; referred

to the Committee on Health and Human Resources;

and then to the Committee on Finance]

1 A BILL to amend the Code of 1931, as amended, by adding a new section, designated §49-2-815,  
2 relating to the creation of the Child Care Workforce Scholarship Act for child care workers  
3 for the West Virginia Child Care Subsidy Program; providing benefits for the children of  
4 eligible workers regardless of household income; appropriating funds to support the  
5 expansion; and directing the Department of Human Services to promulgate emergency  
6 rules.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.**

### **§49-2-815. Child Care Subsidy Eligibility for Child Care Employees.**

1 (a) Legislative findings. – The Legislature finds that:

2 (1) West Virginia faces a persistent shortage of qualified child care employees, resulting in  
3 the closure of classrooms, reduced operating capacity, and long waiting lists across the state;  
4 (2) Increasing access to affordable, reliable child care for child care employees is  
5 necessary to stabilize and grow the workforce, which is essential to maintaining existing child care  
6 programs and enabling the opening of new child care classrooms and facilities;

7 (3) Providing subsidy benefits to child care employees regardless of household income will  
8 make child care employment more competitive, reduce turnover, and attract additional workers  
9 into the field;

10 (4) Expanding the child care workforce directly increases the number of available child  
11 care spots for West Virginia families, enabling more parents across the state to enter or remain in  
12 the workforce; and

13 (5) A stronger, more stable child care system contributes significantly to economic growth,  
14 labor force participation, and long-term community well-being.

15 (b) Definitions. – For the purposes of this section:

16 (1) "Child care employee" means an individual employed at least 20 hours per week by a  
17 licensed child care center, licensed family child care home, licensed family child care facility.

18       (2) "Department" means the West Virginia Department of Human Services.

19       (3) "Subsidy program" means the West Virginia Child Care and Development Fund  
20       (CCDF)-funded child care assistance program administered pursuant to §49-2-801 *et seq.* of this  
21       code.

22       (c) The Child Care Workforce Scholarship Act (Categorical eligibility.) – Notwithstanding  
23       any other provision of this code, a child care employee who applies for assistance under the  
24       subsidy program shall be deemed categorically eligible for full benefits on behalf of the employee's  
25       eligible child, regardless of the employee's household income, provided that:

26       (1) The employee works at least 20 hours a week in a licensed or registered child care  
27       setting located in West Virginia; and

28       (2) The employee verifies employment through documentation required by the  
29       Department.

30       (d) Benefit level. – An eligible child care employee shall receive full subsidy benefits,  
31       including payment at the applicable reimbursement rate, and the family co-payment shall be set at  
32       \$0.00 during the period of eligibility.

33       (e) Duration of eligibility. –

34       (1) Categorical eligibility shall be granted for a 12-month continuous eligibility period,  
35       consistent with federal CCDF requirements.

36       (2) Eligibility may be renewed annually upon verification of continued qualifying  
37       employment.

38       (f) Provider stabilization and quality. –

39       (1) Subsidy payments under this section shall be made directly to the child care provider.

40       (2) Eligibility under this section shall not displace or reduce eligibility for other families  
41       under §49-2-801 *et seq.* of this code.

42       (3) The department may prioritize outreach to child care providers in regions experiencing  
43       workforce shortages.

44        (4) The legislative intent of this section includes:

45        (A) Supporting increased classroom capacity in existing child care programs;

46        (B) Facilitating the startup or expansion of new child care programs; and

47        (C) Ensuring child care availability to sustain and grow the West Virginia workforce.

48        (g) Funding and Appropriation. –

49        (1) For the purpose of implementing and sustaining the (categorical) childcare

50        workforce eligibility created by this section, there is hereby appropriated from the General

51        Revenue Fund the amount of \$5,200,000 for Fiscal Year 2026 to the Department of Human

52        Services, Child Care and Development Fund line item.

53        (2) This appropriation shall be used exclusively to:

54        (A) Provide subsidy payments on behalf of child care employees;

55        (B) Supplement federal Child Care and Development Fund dollars to ensure statewide

56        availability.

57        (3) The Legislature declares this appropriation to be a necessary investment to increase

58        child care availability, expand workforce participation, and support economic growth across the

59        state.

60        (4) The Department may additionally use federal CCDF funds, quality set-aside funds, and

61        other available revenue sources to implement and expand the benefits authorized under this

62        section.

63        (h) Reporting and evaluation. – Beginning December 31, 2026, and annually thereafter,

64        the Department shall submit a report to the Joint Committee on Government and Finance

65        including:

66        (1) The number of child care employees accessing the benefit;

67        (2) Average reimbursement amounts;

68        (3) Impact on workforce retention and vacancy rates;

69        (4) Changes in statewide child care capacity attributable to the Act;

70        (5) Utilization of appropriated funds; and

71        (6) Recommendations for program improvement.

72        (i) Severability. – If any provision of this section or its application is held invalid, such

73        invalidity shall not affect other provisions or applications of this section.

NOTE: The purpose of this bill is to create The Child Care Workforce Scholarship Act (categorical eligibility) for child care workers for the West Virginia Child Care Subsidy Program. The bill provides benefits for the children of eligible workers regardless of household income. The bill appropriates funds to support the expansion. Finally, the bill directs the Department of Human Services to promulgate emergency rules.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.