



## 2025 South Dakota Legislature

# House Bill 1132

HOUSE ENGROSSED

Introduced by: **Representative Healy**

1 **An Act to establish provisions for eligibility in the child care assistance program for**  
 2 **certain child care employees.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 28-1-60 be AMENDED:**

5 **28-1-60.** The Department of Social Services shall establish a child care assistance  
 6 ~~program of child care services~~ to assist families with child care services and to aid in the  
 7 improvement of quality and services for the care of children in day care. The department  
 8 may assist in the improvement, availability, and quality of day care for children by  
 9 providing training, education, and advocacy for child care.

10 **Section 2. That § 28-1-61 be AMENDED:**

11 **28-1-61.** The secretary of social services ~~may~~ shall adopt ~~reasonable and~~  
 12 ~~necessary~~ rules pursuant to chapter 1-26 for the administration of the child care ~~services~~  
 13 assistance program in the following areas:

- 14 (1) Eligibility determination, criteria, and application procedure;
- 15 (2) The amount, scope, and duration of child care services and payments;
- 16 (3) Fees;
- 17 (4) Licensing and registration;
- 18 (5) Methods of administration, record keeping, and audit;
- 19 (6) Compliance monitoring;
- 20 (7) Complaint investigation;
- 21 (8) Reporting requirements;
- 22 (9) Eligibility criteria and procedures for grants, contracts, and awards to providers of
- 23 child care services under § 28-1-60;
- 24 (10) Training, community and provider education, and child advocacy; and

- 1           (11) ~~Such other~~Other standards and requirements as may be necessary to ensure the  
2                   efficient operation and administration of the program or as required to qualify for  
3                   federal funding.

4   **Section 3. That a NEW SECTION be added to chapter 28-1:**

5                   In determining eligibility for payments from the child care assistance program, the  
6           Department of Social Services shall exclude all earned and unearned income of an  
7           applicant's household if:

8           (1) The applicant is employed by a:

9                   (a) Before and after school day care program, licensed by the department;

10                  (b) Day care center or group family day care home, licensed by the department;

11                           or

12                  (c) Family day care home, registered by the department;

13           (2) The applicant works at least thirty hours per week at the center, home, or program;

14                   and

15           (3) The applicant's household income does not exceed three hundred percent of the  
16                   federal poverty level.