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SENATE BILL

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; ESTABLISHING CHILD CARE ASSISTANCE TO PROVIDE CHILD CARE AND RESPITE CARE FOR KINSHIP CAREGIVERS WITHOUT CONSIDERATION OF KINSHIP CAREGIVERS' INCOMES OR RESOURCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. [NEW MATERIAL] KINSHIP CAREGIVERS--CHILD CARE ASSISTANCE--CHILD CARE--RESPITE CARE.--**

A. The department shall establish and implement a program for providing child care assistance to kinship caregivers:

(1) while working or attending a job-training or educational program, as those terms are defined in department rules; or

(2) as respite care.

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1           B. The department shall not consider a kinship  
2 caregiver's income or resources in determining the kinship  
3 caregiver's need for child care assistance.

4           C. The department shall use state or federal funds  
5 available pursuant to the New Mexico Works Act, or any other  
6 resources it deems available, to fund child care assistance to  
7 kinship caregivers pursuant to this section.

8           D. As used in this section:

9                   (1) "child" means an individual who is a  
10 minor;

11                   (2) "child care assistance" means a program  
12 for providing child care, which program the department  
13 administers and for which it provides payment to child care  
14 providers;

15                   (3) "department" means the children, youth and  
16 families department;

17                   (4) "kinship caregiver" means an adult, who is  
18 a relative and not a parent of a child, with whom a child  
19 resides and who provides that child with the care, maintenance  
20 and supervision consistent with the duties and responsibilities  
21 of a parent of the child;

22                   (5) "parent" means a biological or adoptive  
23 parent of a child whose parental rights have not been  
24 terminated; and

25                   (6) "relative" means an individual related to

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1 a child as a spouse, parent, stepparent, brother, sister,  
2 stepbrother, stepsister, half-brother, half-sister, uncle,  
3 aunt, niece, nephew, first cousin, any person denoted by the  
4 prefix "grand" or "great" or the spouse or former spouse of the  
5 persons specified.

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