



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1428

H.P. 937

House of Representatives, April 3, 2025

An Act to Increase Access to Child Care for Maine Families

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Speaker FECTEAU of Biddeford.
Cosponsored by Senator RENY of Lincoln and
Representatives: ARCHER of Saco, COLLAMORE of Pittsfield, DEBRITO of Waterville,
EATON of Deer Isle, HASENFUS of Readfield, LEE of Auburn, MCCABE of Lewiston,
WEBB of Durham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §8302-A, sub-§4** is enacted to read:

3 **4. Recreational space.** A child care facility or a family child care provider may
4 operate without an outdoor recreational space as long as an outside public recreational
5 space is located within one-quarter of a mile in the ordinary course of travel from the
6 facility or provider.

7 **Sec. 2. 30-A MRSA §4364-D** is enacted to read:

8 **§4364-D. Child care services in residential areas**

9 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
10 following terms have the following meanings.

11 A. "Child care facility" has the same meaning as in Title 22, section 8301-A,
12 subsection 1-A, paragraph B.

13 B. "Family child care provider" has the same meaning as in Title 22, section 8301-A,
14 subsection 1-A, paragraph C.

15 **2. Location of child care.** A child care facility or a family child care provider is a
16 permitted use in a municipal area that is zoned for residential purposes, subject to the same
17 requirements for other residential property.

18 **Sec. 3. Maine State Housing Authority rules; use of community rooms.** The
19 Maine State Housing Authority shall amend its rules in Chapter 16: Low-Income Housing
20 Tax Credit Rule to allow the community rooms required in projects built using low-income
21 housing tax credits to be used for child care facilities as defined in the Maine Revised
22 Statutes, Title 22, section 8301-A, subsection 1-A, paragraph B or family child care
23 providers as defined in Title 22, section 8301-A, subsection 1-A, paragraph C.

24 **SUMMARY**

25 This bill allows child care facilities and family child care providers to operate without
26 an outdoor recreational space if the operation is within one-quarter of a mile of an outdoor
27 public recreational space. The bill requires municipalities to allow child care facilities and
28 family child care providers to operate in an area that is zoned for residential purposes. The
29 bill also requires the Maine State Housing Authority to amend its rules governing low-
30 income housing tax credits to allow the community rooms that are required as part of the
31 projects built using the credits to be used as child care facilities or family child care
32 providers.