

116TH CONGRESS  
2D SESSION

# H. R. 5789

To allow nonprofit child care providers to participate in the loan programs of the Small Business Administration.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2020

Mrs. LEE of Nevada (for herself, Mr. STAUBER, Ms. FINKENAUER, Mr. HAGEDORN, Ms. PORTER, Mr. BALDERSON, Mrs. AXNE, Mr. MOOLENAAR, Mrs. LOWEY, Mr. KING of New York, Ms. WILD, and Mr. TAYLOR) introduced the following bill; which was referred to the Committee on Small Business

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## A BILL

To allow nonprofit child care providers to participate in the loan programs of the Small Business Administration.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Child  
5 Care Investment Act”.

6 **SEC. 2. SMALL BUSINESS LOANS FOR NONPROFIT CHILD**  
7 **CARE PROVIDERS.**

8 Section 3(a) of the Small Business Act (15 U.S.C.  
9 632(a)) is amended by adding at the end the following:

1 “(10) NONPROFIT CHILD CARE PROVIDERS.—

2 “(A) DEFINITION.—In this paragraph, the  
3 term ‘covered nonprofit child care provider’  
4 means an organization—

5 “(i) that—

6 “(I) is in compliance with licens-  
7 ing requirements for child care pro-  
8 viders of the State in which the orga-  
9 nization is located;

10 “(II) is described in section  
11 501(c)(3) of the Internal Revenue  
12 Code of 1986 and exempt from tax  
13 under section 501(a) of such Code;  
14 and

15 “(III) is primarily engaged in  
16 providing child care for children from  
17 birth to compulsory school age;

18 “(ii) for which each employee and reg-  
19 ular volunteer complies with the criminal  
20 background check requirements under sec-  
21 tion 658H(b) of the Child Care and Devel-  
22 opment Block Grant Act of 1990 (42  
23 U.S.C. 9858f(b)); and

24 “(iii) that may—

1                   “(I) provide care for school-age  
2                   children outside of school hours or  
3                   outside of the school year; or

4                   “(II) offer preschool or pre-  
5                   kindergarten educational programs.

6                   “(B) ELIGIBILITY FOR LOAN PROGRAMS.—  
7                   Notwithstanding any other provision of this  
8                   subsection, a covered nonprofit child care pro-  
9                   vider shall be deemed to be a small business  
10                  concern for purposes of any program under this  
11                  Act or the Small Business Investment Act of  
12                  1958 (15 U.S.C. 661 et seq.) under which—

13                  “(i) the Administrator may make  
14                  loans to small business concerns;

15                  “(ii) the Administrator may guarantee  
16                  timely payment of loans to small business  
17                  concerns; or

18                  “(iii) the recipient of a loan made or  
19                  guaranteed by the Administrator may  
20                  make loans to small business concerns.”.

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