

1-1 By: Deshotel, Lopez (Senate Sponsor - Watson, West) H.B. No. 680
 1-2 (In the Senate - Received from the House April 24, 2019;
 1-3 May 8, 2019, read first time and referred to Committee on
 1-4 Education; May 17, 2019, reported favorably by the following vote:
 1-5 Yeas 8, Nays 3; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt		X		
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall		X		
1-13 Hughes		X		
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the powers and duties of the Texas Workforce Commission
 1-22 and local workforce development boards regarding the provision of
 1-23 child care.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 2308.317, Government Code, is amended by
 1-26 adding Subsection (e) to read as follows:

1-27 (e) Each board shall, to the extent practicable, ensure that
 1-28 any professional development for child care providers, directors,
 1-29 and employees funded under Subsection (a):

1-30 (1) can be used toward requirements for a credential,
 1-31 certification, or degree program; and

1-32 (2) meets the professional development requirements
 1-33 of the Texas Rising Star Program.

1-34 SECTION 2. Section 302.0042, Labor Code, is amended by
 1-35 amending Subsection (b) and adding Subsection (c) to read as
 1-36 follows:

1-37 (b) The commission's evaluation must assess:

1-38 (1) the use of current federal child care funds by each
 1-39 local workforce development board;

1-40 (2) the ability of each local workforce development
 1-41 board to meet child care performance measures;

1-42 (3) the average cost of child care in each local
 1-43 workforce development area;

1-44 (4) the average price charged by child care providers
 1-45 for child care in each local workforce development area as stated in
 1-46 the market rate survey conducted under 45 C.F.R. Section 98.45(c);

1-47 (5) the poverty rate of each local workforce
 1-48 development area compared to the state's poverty rate;

1-49 (6) ~~(5)~~ the number of children on waiting lists for
 1-50 child care in each local workforce development area; ~~and~~

1-51 (7) ~~(6)~~ the number of places that are reserved for
 1-52 participants in the child-care subsidy program out of the total
 1-53 number of children enrolled with a provider on a full-time basis
 1-54 categorized by age of the child for each provider ~~[vacant slots~~
 1-55 ~~available for child care placement]~~ in each local workforce
 1-56 development area that is certified as a 2-star, 3-star, or 4-star
 1-57 provider in the Texas Rising Star Program or that does not
 1-58 participate in the Texas Rising Star Program;

1-59 (8) the total number of child care providers
 1-60 participating in the Texas Rising Star Program in each local
 1-61 workforce development area and the number of 2-star, 3-star, and

2-1 4-star rated child care providers in the local workforce
2-2 development area;
2-3 (9) the number of child care providers participating
2-4 in the Texas Rising Star Program in each local workforce
2-5 development area as a percentage of the total number of subsidized
2-6 child care providers in the local workforce development area and
2-7 the number of 2-star, 3-star, and 4-star rated child care providers
2-8 in the local workforce development area as a percentage of the total
2-9 number of subsidized child care providers in the local workforce
2-10 development area;
2-11 (10) the total number of children enrolled in
2-12 subsidized child care providers participating in the Texas Rising
2-13 Star Program in each local workforce development area and the
2-14 number of subsidized children enrolled in 2-star, 3-star, and
2-15 4-star rated child care providers in the local workforce
2-16 development area; and
2-17 (11) the number of subsidized children enrolled in
2-18 child care providers participating in the Texas Rising Star Program
2-19 in each local workforce development area as a percentage of the
2-20 total number of subsidized children enrolled in child care
2-21 providers in the local workforce development area and the number of
2-22 subsidized children enrolled in 2-star, 3-star, and 4-star rated
2-23 child care providers in the local workforce development area as a
2-24 percentage of the total number of subsidized children enrolled in
2-25 child care providers in the local workforce development area.
2-26 (c) For the purposes of evaluation under this section, the
2-27 commission shall annually update the information described by
2-28 Subsections (b)(6)-(11).
2-29 SECTION 3. Section 302.0043, Labor Code, is amended by
2-30 adding Subsection (c-1) and amending Subsections (e) and (f) to
2-31 read as follows:
2-32 (c-1) The commission shall measure and evaluate the
2-33 progress of the commission's child care program regarding:
2-34 (1) coordination by the commission with the Texas
2-35 Education Agency to assign a Public Education Information
2-36 Management System (PEIMS) number to children younger than six years
2-37 of age enrolled in the commission's child care program;
2-38 (2) coordination with the Texas Education Agency,
2-39 school districts, and open-enrollment charter schools on any
2-40 prekindergarten quality improvement efforts;
2-41 (3) efforts to increase coordination between
2-42 participating providers in the commission's child care program,
2-43 school districts, and open-enrollment charter schools;
2-44 (4) facilitation of child care provider enrollment in
2-45 the Texas Rising Star Program and progression of providers to the
2-46 highest rating level in the program; and
2-47 (5) development and implementation of rates and
2-48 payments, as determined by local workforce development boards, to:
2-49 (A) allow participating providers to provide
2-50 high-quality child care; and
2-51 (B) ensure that the commission meets performance
2-52 measures established by the legislature for the average number of
2-53 children served by the commission's child-care program per day.
2-54 (e) The commission shall make the information collected by
2-55 the commission and the commission's findings available to local
2-56 workforce development boards, school districts, open-enrollment
2-57 charter schools, and the public.
2-58 (f) Not later than January 15 of each odd-numbered year, the
2-59 commission shall report to the legislature regarding the
2-60 commission's findings regarding the effectiveness of the
2-61 commission's child care program. The report must:
2-62 (1) include employment outcome information,
2-63 disaggregated by local workforce development area, regarding
2-64 parents receiving subsidized care under the program; ~~and~~
2-65 (2) identify multiyear trends in the information
2-66 collected and analyzed by the commission under this section,
2-67 including trends in the information for at least the five state
2-68 fiscal years preceding the date of the report; and
2-69 (3) include information described by Sections

3-1 302.0042(b)(8)-(11).

3-2 SECTION 4. Section 302.00435, Labor Code, is amended to
3-3 read as follows:

3-4 Sec. 302.00435. SUBSIDIZED CHILD CARE PROGRAM; INPUT
3-5 POLICY. (a) The commission shall develop a policy for obtaining,
3-6 through appropriate methods, input from interested parties
3-7 regarding its subsidized child care program and for using that
3-8 input in administering that program.

3-9 (b) The policy developed under Subsection (a) must include
3-10 methods for obtaining input from the Texas Education Agency, school
3-11 districts, open-enrollment charter schools, subsidized child care
3-12 providers, relevant businesses, and the public, regarding:

3-13 (1) improving coordination between the subsidized
3-14 child care program and prekindergarten programs; and

3-15 (2) increasing the quality of and access to the
3-16 subsidized child care program.

3-17 SECTION 5. Subchapter C, Chapter 302, Labor Code, is
3-18 amended by adding Section 302.0461 to read as follows:

3-19 Sec. 302.0461. CHILD CARE PROVIDER CONTRACT AGREEMENTS.

3-20 (a) A local workforce development board may contract with child
3-21 care providers operating in the board's area to provide subsidized
3-22 child care services. The local workforce development board shall
3-23 determine the number of places that the board reserves in the
3-24 contract with a child care provider participating in the
3-25 commission's subsidized child care program.

3-26 (b) To be eligible for a contract under Subsection (a), a
3-27 child care provider must:

3-28 (1) be a Texas Rising Star Program provider with a
3-29 three-star rating or higher; and

3-30 (2) meet one of the following priorities of the
3-31 commission:

3-32 (A) be located in:

3-33 (i) an area where the number of children
3-34 younger than six years of age who have working parents is at least
3-35 three times greater than the capacity of licensed child care
3-36 providers in the area; or

3-37 (ii) an area determined by the commission
3-38 to be underserved with respect to child care providers;

3-39 (B) have a partnership with a school district to
3-40 provide a prekindergarten program;

3-41 (C) have a partnership with the Early Head Start
3-42 or Head Start Program;

3-43 (D) increase the number of places reserved for
3-44 infants and toddlers by high-quality child care providers; or

3-45 (E) satisfy a requirement in the local workforce
3-46 development board's strategic plan.

3-47 (c) Not later than six months after a local workforce
3-48 development board enters into a contract under Subsection (a), the
3-49 board shall submit a report to the commission evaluating the
3-50 contract to determine its effect on:

3-51 (1) the financial stability of the child care provider
3-52 participating in the contract;

3-53 (2) the availability of high-quality child care
3-54 options for participants in the commission's subsidized child care
3-55 program in the workforce development area;

3-56 (3) the number of high-quality child care providers in
3-57 any part of the workforce development area with a high
3-58 concentration of families with a need for child care; and

3-59 (4) the percentage of children participating in the
3-60 commission's subsidized child care program at each Texas Rising
3-61 Star Program provider in the local workforce development area.

3-62 (d) The commission shall determine the information that
3-63 must be included in the report required by Subsection (c). A local
3-64 workforce development board shall update the report required by
3-65 Subsection (c) every six months from the date the board submits its
3-66 initial report to the commission.

3-67 SECTION 6. This Act takes effect September 1, 2019.

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