

1-1 By: Talarico, Button, Minjarez H.B. No. 2607
 1-2 (Senate Sponsor - Lucio, Hinojosa)
 1-3 (In the Senate - Received from the House April 19, 2021;
 1-4 May 17, 2021, read first time and referred to Committee on Natural
 1-5 Resources & Economic Development; May 24, 2021, reported
 1-6 adversely, with favorable Committee Substitute by the following
 1-7 vote: Yeas 9, Nays 0; May 24, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 2607 By: Lucio

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the powers and duties of the Texas Workforce Commission
 1-23 and local workforce development boards regarding the provision of
 1-24 child care and the subsidized child care program.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 2308.3155, Government Code, is amended
 1-27 by amending Subsection (a) and adding Subsections (b-1) and (b-2)
 1-28 to read as follows:

1-29 (a) The Texas Rising Star Program is a [~~voluntary,~~]
 1-30 quality-based child care rating system of child care providers
 1-31 participating in the commission's subsidized child care program.

1-32 (b-1) The rating system adopted under Subsection (b) must
 1-33 include an entry level rating for child care providers and a maximum
 1-34 length of time a provider may participate at the entry level rating.
 1-35 To qualify for the entry level rating a child care provider must
 1-36 meet the minimum quality standards that qualify the provider to
 1-37 receive technical assistance and support under the Texas Rising
 1-38 Star Program. A provider participating at the entry level rating is
 1-39 not eligible for increased reimbursement rates.

1-40 (b-2) The commission shall develop a process to allow a
 1-41 child care provider to request a waiver to extend the length of time
 1-42 the provider may participate at the entry level rating described by
 1-43 Subsection (b-1). The waiver authorized by this subsection may not
 1-44 exceed 36 months.

1-45 SECTION 2. Sections 302.0042(b) and (c), Labor Code, are
 1-46 amended to read as follows:

1-47 (b) The commission's evaluation must assess:

1-48 (1) the use of current federal child care funds by each
 1-49 local workforce development board;

1-50 (2) the ability of each local workforce development
 1-51 board to meet child care performance measures;

1-52 (3) the average cost of child care in each local
 1-53 workforce development area;

1-54 (4) the average monthly price charged by child care
 1-55 providers for full-day child care in each local workforce
 1-56 development area as stated in the market rate survey conducted
 1-57 under 45 C.F.R. Section 98.45(c);

1-58 (5) the average monthly price charged by quality child
 1-59 care providers for full-day child care in each local workforce
 1-60 development area;

2-1 (6) the poverty rate of each local workforce
2-2 development area compared to the state's poverty rate;
2-3 (7) the number of children on waiting lists for child
2-4 care in each local workforce development area;
2-5 (8) the number of places that are reserved by each
2-6 local workforce development board in contracts authorized under
2-7 Section 302.0461 for participants in the child-care subsidy program
2-8 out of the total number of children enrolled with a provider on a
2-9 full-time basis categorized by age of the child for each provider in
2-10 each local workforce development area that is certified as a
2-11 2-star, 3-star, or 4-star provider in the Texas Rising Star Program
2-12 or that does not participate in the Texas Rising Star Program;
2-13 (9) the total number of child care providers
2-14 participating in the Texas Rising Star Program in each local
2-15 workforce development area and the number of 2-star, 3-star, and
2-16 4-star rated child care providers in the local workforce
2-17 development area;
2-18 (10) the number of child care providers participating
2-19 in the Texas Rising Star Program in each local workforce
2-20 development area as a percentage of the total number of both
2-21 subsidized child care providers and all child care providers in the
2-22 local workforce development area;
2-23 (11) the number of 2-star, 3-star, and 4-star rated
2-24 child care providers in the local workforce development area as a
2-25 percentage of the total number of both subsidized child care
2-26 providers and all child care providers in the local workforce
2-27 development area;
2-28 (12) the total number of children enrolled in
2-29 subsidized child care providers participating in the Texas Rising
2-30 Star Program in each local workforce development area and the
2-31 number of subsidized children enrolled in 2-star, 3-star, and
2-32 4-star rated child care providers in the local workforce
2-33 development area; ~~and~~
2-34 (13) the number of subsidized children enrolled in
2-35 child care providers participating in the Texas Rising Star Program
2-36 in each local workforce development area as a percentage of the
2-37 total number of subsidized children enrolled in child care
2-38 providers in the local workforce development area and the number of
2-39 subsidized children enrolled in 2-star, 3-star, and 4-star rated
2-40 child care providers in the local workforce development area as a
2-41 percentage of the total number of subsidized children enrolled in
2-42 child care providers in the local workforce development area; and
2-43 (14) the number of 3-star and 4-star rated child care
2-44 providers participating in partnerships with public school
2-45 districts and public charter schools based on data provided by the
2-46 Texas Education Agency, as necessary.
2-47 (c) For the purposes of evaluation under this section, the
2-48 commission shall annually update the information described by
2-49 Subsections (b)(7)-(14) [~~(b)(7)-(13)~~].
2-50 SECTION 3. Subchapter A, Chapter 302, Labor Code, is
2-51 amended by adding Section 302.00436 to read as follows:
2-52 Sec. 302.00436. SUBSIDIZED CHILD CARE PROGRAM: INFORMATION
2-53 FOR PUBLIC SCHOOLS. Each local workforce development board shall
2-54 inform the local school districts and open-enrollment charter
2-55 schools in the workforce development area regarding opportunities
2-56 to partner with child-care providers in the board's area to expand
2-57 access to and provide facilities for prekindergarten programs.
2-58 SECTION 4. Section 302.0461(d), Labor Code, is amended to
2-59 read as follows:
2-60 (d) The commission shall determine the information that
2-61 must be included in the report required by Subsection (c). A local
2-62 workforce development board shall update the report required by
2-63 Subsection (c) every 12 [~~six~~] months from the date the board submits
2-64 its initial report to the commission.
2-65 SECTION 5. The Texas Workforce Commission and local
2-66 workforce development boards are required to implement a provision
2-67 of this Act only if federal money is available for that purpose and
2-68 using the federal money for that purpose would not result in
2-69 supplanting or decreasing existing funding for programs currently

3-1 funded by the Texas Workforce Commission using available federal
3-2 money under the Child Care Development Block Grant. If the state
3-3 does not receive sufficient additional federal money under the
3-4 Child Care Development Block Grant or other federal money to
3-5 implement a provision of this Act, the commission and the boards
3-6 may, but are not required to, implement a provision of this Act
3-7 using other appropriations available for that purpose.

3-8 SECTION 6. This Act takes effect September 1, 2021.

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