

By: Raney

H.B. No. 1979

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the Texas Workforce Commission
3 and local workforce development boards regarding the provision of
4 child care.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 2308.256(a), Government Code, is amended
7 to read as follows:

8 (a) A board is composed as follows:

9 (1) representatives of the private sector, who:

10 (A) constitute a majority of the membership of
11 the board; and

12 (B) are owners of business concerns, chief
13 executives or chief operating officers of nongovernmental
14 employers, or other private sector executives who have substantial
15 management or policy responsibilities;

16 (2) representatives of organized labor and
17 community-based organizations, who constitute not less than 15
18 percent of the membership of the board; ~~and~~

19 (3) representatives of the child-care workforce, who
20 constitute not less than 25 percent of the membership of the board
21 and who have:

22 (A) at least five years of experience working in
23 child-care, early childhood, or out-of-school programs, including
24 organizations providing care and education services to children

1 from birth until age 12 and organizations supporting quality or
2 credentialing for the care and education of children from birth
3 until age 12; or

4 (B) expertise in child care or early childhood
5 education; and

6 (4) representatives of each of the following:

7 (A) educational agencies, including community
8 colleges and secondary and postsecondary practitioners
9 representing vocational education, that are representative of all
10 educational agencies in the service delivery area;

11 (B) vocational rehabilitation agencies;

12 (C) public assistance agencies;

13 (D) economic development agencies;

14 (E) the public employment service;

15 (F) local literacy councils; and

16 (G) adult basic and continuing education
17 organizations.

18 SECTION 2. Section 2308.3171, Government Code, is amended
19 by amending Subsection (c) and adding Subsection (c-1) to read as
20 follows:

21 (c) Each board shall post in a prominent place on the
22 board's Internet website home page and at any physical location
23 where the board provides services:

24 (1) a list of local designated vendors that are
25 child-care providers and have a quality child-care indicator listed
26 in Subsection (a)(1), (2), (3), or (4); ~~and~~

27 (2) a list of local parenting classes;

1 (3) information for parents regarding finding quality
2 child-care providers;

3 (4) information regarding the value of quality child
4 care and the Texas Rising Star Program;

5 (5) information for parents regarding:

6 (A) eligibility for child-care assistance,
7 including subsidized child-care services and other child-care
8 scholarships;

9 (B) the application process for child-care
10 assistance; and

11 (C) determining the status of a financial
12 assistance application;

13 (6) information for child-care providers regarding:

14 (A) the process for accepting children whose
15 parents receive child-care assistance; and

16 (B) the Texas Rising Star Program certification
17 process; and

18 (7) contact information, including a telephone number
19 and an e-mail address, where a provider may receive assistance with
20 questions or bring a grievance.

21 (c-1) Each local workforce development board shall make the
22 following information available to the public on a quarterly basis:

23 (1) data regarding child-care waitlists, including
24 the number of children in the board's workforce development area
25 who are:

26 (A) on a waitlist, disaggregated by age and zip
27 code based on the child's home address;

1 (B) taken off a waitlist and enrolled with a
2 child-care provider under the subsidized child-care program; and

3 (C) added to a waitlist during the quarter;

4 (2) the number of children in the board's workforce
5 development area receiving subsidized child care, disaggregated by
6 zip code based on the child's home address;

7 (3) data regarding child-care providers, including
8 the number of providers in the board's workforce development area
9 who during the quarter:

10 (A) improved the provider's Texas Rising Star
11 Program rating level;

12 (B) had the provider's Texas Rising Star Program
13 rating level decrease; and

14 (C) received quality dollars from the board; and

15 (4) data regarding the outcomes related to quality
16 dollars provided by the board to child-care providers in the
17 board's workforce development area.

18 SECTION 3. Section [302.0042](#)(d), Labor Code, is amended to
19 read as follows:

20 (d) In this section, "quality child care provider" means a
21 child care provider that:

22 (1) participates in the commission's Texas Rising Star
23 Program as a three-star or four-star provider; or

24 (2) is accredited by the National Early Childhood
25 Program Accreditation Commission or the National Association for
26 the Education of Young Children, or holds any other accreditation
27 the commission determines meets the quality standards of the Texas

1 Rising Star Program.

2 SECTION 4. Subchapter A, Chapter 302, Labor Code, is
3 amended by adding Section 302.00434 to read as follows:

4 Sec. 302.00434. SUBSIDIZED CHILD-CARE PROGRAM; RULE CHANGE
5 POLICY. The commission shall develop appropriate written training
6 and a reasonable timeline for implementing each change the
7 commission makes to rules regarding the subsidized child-care
8 program.

9 SECTION 5. Subchapter A, Chapter 302, Labor Code, is
10 amended by adding Section 302.0063 to read as follows:

11 Sec. 302.0063. CHILD CARE PERFORMANCE TARGETS. (a) The
12 commission shall structure performance targets for child-care
13 services to allow local workforce development boards to address the
14 needs in the workforce development area identified by the board
15 through a community needs assessment.

16 (b) The commission may establish alternative performance
17 targets that are set by different metrics including:

18 (1) the total number of children served by child-care
19 providers in the board's workforce development area;

20 (2) the number of children served by Texas Rising Star
21 Program providers in the board's workforce development area with a
22 three-star or four-star rating;

23 (3) the number of infants and toddlers served by
24 child-care providers in the board's workforce development area;

25 (4) the number of children served by child-care
26 providers in the board's workforce development area if the area is
27 located in:

1 (A) an area where the number of children younger
2 than six years of age who have working parents is at least three
3 times greater than the capacity of licensed child-care providers in
4 the area; or

5 (B) an area determined by the commission to be
6 underserved with respect to child-care providers; and

7 (5) the number of children served by providers in the
8 board's workforce development area who provide care during
9 non-traditional hours.

10 (c) The commission by rule shall:

11 (1) define the approval process for the alternative
12 performance targets described by Subsection (b);

13 (2) develop the components of and procedures for
14 administering a community needs assessment in local workforce
15 development areas; and

16 (3) determine the allocation of funds to meet
17 alternative performance targets.

18 SECTION 6. Section [2308.256\(g\)](#), Government Code, is
19 repealed.

20 SECTION 7. This Act takes effect September 1, 2023.