

AN ACT

relating to authorizing a day-care center to employ an interim director.

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

SECTION 1. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04201 to read as follows:

Sec. 42.04201. INTERIM DIRECTOR. (a) If a candidate to serve as the director of a day-care center operating under an initial license under Section 42.051 meets all the qualifications for a director prescribed by department rules except for the education requirements, the candidate may serve as interim director of the day-care center for not longer than 12 months while the candidate completes the requisite education or obtains a waiver to the education requirement authorized by commission rule.

(b) If the interim director completes the education requirements prescribed by the department or obtains a waiver to the education requirement before the end of the 12th month after the date the person began serving as interim director, the interim director may become the director of the day-care center.

(c) If the interim director fails to complete the education requirements prescribed by the department or obtain a waiver to the education requirement before the end of the 12th month after the date the person began serving as interim director, the day-care center shall employ a new director.

1 SECTION 2. Section 42.0761(a), Human Resources Code, is
2 amended to read as follows:

3 (a) An owner or operator of a day-care center commits an
4 offense if the owner or operator knowingly operates the day-care
5 center:

6 (1) without a director who meets the qualifications of
7 a director prescribed by department rules or an interim director
8 under Section 42.04201; or

9 (2) without the routine presence during the day-care
10 center's hours of operation of a director or an interim director
11 described by Subdivision (1).

12 SECTION 3. This Act takes effect September 1, 2023.

S.B. No. 1327

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1327 passed the Senate on May 3, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1327 passed the House on May 24, 2023, by the following vote: Yeas 110, Nays 28, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor