

Amend **HB 2378** by striking all below the enacting clause and substituting the following:

SECTION 1. Sections 663.001(2) and (3), Government Code, are amended to read as follows:

(2) "Child care program" means the program developed or administered under this chapter [~~by the commission~~] to provide child care services for state employees.

(3) "Commission" means the Texas Building and Procurement [~~General Services~~] Commission.

SECTION 2. Section 663.101, Government Code, is amended to read as follows:

Sec. 663.101. ADMINISTRATION OF CHILD CARE PROGRAM. (a) The commission shall provide child care services for state employees by the development [~~and administration~~] of the child care program.

(b) The commission by rule may establish methods to [~~administer and~~] supervise the entity operating the child care program.

SECTION 3. Subchapter C, Chapter 663, Government Code, is amended by adding Sections 663.1011 and 663.1012 to read as follows:

Sec. 663.1011. MEMORANDUM OF UNDERSTANDING. (a) The commission may enter into a memorandum of understanding with The University of Texas at Austin to operate the child care program.

(b) The memorandum of understanding must include the responsibilities of the commission and the university regarding the operation of the child care program, including:

(1) developing the curriculum for the child care program;

(2) designating the location of child care facilities;

(3) providing and maintaining the buildings and other property where the child care facilities are located;

(4) determining the size of the child care facilities and the child-to-teacher ratio for each age group at the facility;
and

(5) performing the duties described by Section 663.108.

Sec. 663.1012. CONTRACT WITH ENTITY. (a) If the commission does not enter into a memorandum of understanding with The University of Texas at Austin to operate the child care program under Section 663.1011, the commission shall contract with a private or public entity to operate the child care program.

(b) Before the commission issues a request for proposal for bids to operate the child care program, the commission shall develop the request for proposal with the assistance of The University of Texas at Austin.

SECTION 4. Section 663.102, Government Code, is amended to read as follows:

Sec. 663.102. STANDARDS OF CHILD CARE PROGRAM. The commission shall, in consultation with The University of Texas at Austin, set specific performance standards for child care services under the child care program that conform to the standards of quality child care set by the National Association for the Education of Young Children or the National Child Care Association.

SECTION 5. Section 663.106, Government Code, is amended to read as follows:

Sec. 663.106. LEASE TO CHILD CARE PROVIDER. The commission may [~~shall~~] lease to a child care provider selected by the commission a site for a child care facility at a reasonable rate.

SECTION 6. Section 663.108, Government Code, is amended to read as follows:

Sec. 663.108. DUTIES OF ENTITY OPERATING CHILD CARE PROGRAM [~~PROVIDER~~]. The entity operating the [~~A provider for a~~] child care program [~~facility~~] shall:

(1) obtain for each child care [~~the~~] facility a license under Chapter 42, Human Resources Code;

(2) maintain liability insurance coverage by an insurer [~~insurance company~~] approved by the Texas Department [~~State Board~~] of Insurance in an amount approved by the commission;

(3) indemnify the state and the commission from:

(A) a claim, demand, or cause of action asserted by a person as a result of the child care facility's operation; and

(B) an act or omission of the provider or the child care facility's personnel;

(4) provide furniture, equipment, toys, or other materials necessary for the child care facility;

(5) keep a list of child care applicants who are waiting for enrollment in the child care facility; and

(6) pay salaries and provide insurance for persons employed at the child care [~~employees of the~~] facility.

SECTION 7. Section 663.109, Government Code, is amended to read as follows:

Sec. 663.109. MONITORING OF CHILD CARE PROGRAM [~~FACILITIES~~]. The commission shall monitor the activities and operations of the entity operating the child care program [~~a child care facility by conducting regular visits to the facility during operating hours to investigate, inspect, and evaluate the services provided~~].

SECTION 8. Section 663.111(a), Government Code, is amended to read as follows:

(a) The commission shall monitor the number of children participating in the child care program and determine, in consultation with the entity operating the child care program, when additional child care facilities are needed [~~may begin procedures to establish another child care facility when the number of applicants on a waiting list to enroll in a facility is 50 or more~~].

SECTION 9. The heading to Section 663.112, Government Code, is amended to read as follows:

Sec. 663.112. CHILD CARE PROGRAM [~~FACILITY~~] ACCOUNT.

SECTION 10. Section 663.112(a), Government Code, is amended to read as follows:

(a) The legislature may appropriate money from the Texas capital trust fund established under Chapter 2201 to establish and operate the [~~a~~] child care program [~~facility under this chapter~~].

SECTION 11. Section 663.052, Government Code, is redesignated as Section 663.114, Government Code, to read as follows:

Sec. 663.114 [~~663.052~~]. REPORT OF COMMISSION. (a) The commission shall report to the legislature each legislative session.

(b) The report must:

(1) summarize the development and progress of the child care program; and

(2) describe additional child care services needed by state employees.

SECTION 12. Sections 663.001(4), 663.002, 663.051, 663.104, 663.107, 663.111(b), 2165.103, and 2166.551, Government Code, are repealed.