

BILL ANALYSIS

C.S.H.B. 601
By: Villarreal
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Before 2007, the Human Resources Code and Department of Family and Protective Services rules exempted private school child-care facilities from licensing requirements if they were accredited by a member organization of the Texas Private School Accreditation Commission. That exemption mirrored a similar exemption for Texas Education Agency accredited public schools.

H.B. 1385, 80th Legislature, Regular Session, 2007, was amended on the House floor to expand the exemption to counties with a population of less than 25,000. The amendment has since been interpreted to end the exemption that existed, both in statute and in rule, for any county with a population over 25,000.

C.S.H.B. 601 expands the exemption for child-care facility licensing requirements for certain educational facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 601 amends the Human Resources Code to expand the exemption from child-care facility or child-placing agency licensing requirements for an educational facility accredited by the Texas Education Agency, the Southern Association of Colleges and Schools, or an accreditation body of the Texas Private School Accreditation Commission to include such a facility that operates primarily for educational purposes a before-school program, in addition to an after-school program, for prekindergarten and above, rather than kindergarten and above.

C.S.H.B. 601 amends the exemption from such licensing requirements for an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours per day, and that offers educational programs for children age four and above at certain grade levels, by removing the minimum age limit and specifying a prekindergarten level, rather than preschool and kindergarten, as the lower limit of the grade level range.

C.S.H.B. 601 repeals Section 42.041(b-1), Human Resources Code, limiting the licensing exemption for the facilities mentioned above to a facility that operates in a county with a population of less than 25,000.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 601 omits a provision included in the original defining "before-school and after-school program."