

By: Gutierrez, Walle

H.B. No. 1970

Substitute the following for H.B. No. 1970:

By: Rose

C.S.H.B. No. 1970

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the minimum standards for operators and employees of  
3 child-care facilities and family homes.

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

5 SECTION 1. Section 42.042, Human Resources Code, is amended  
6 by amending Subsection (e) and adding Subsection (e-2) to read as  
7 follows:

8 (e) The department shall promulgate minimum standards that  
9 apply to licensed child-care facilities and to registered family  
10 homes covered by this chapter and that will:

11 (1) promote the health, safety, and welfare of  
12 children attending a facility or registered family home;

13 (2) promote safe, comfortable, and healthy physical  
14 facilities and registered family homes for children;

15 (3) ensure adequate supervision of children by  
16 capable, qualified, and healthy personnel;

17 (4) ensure adequate and healthy food service where  
18 food service is offered;

19 (5) ensure that food served in a day-care center, a  
20 group day-care home, or a family home meets the federal nutritional  
21 guidelines of the child and adult care food program under 42 U.S.C.  
22 Section 1766;

23 (6) prohibit racial discrimination by child-care  
24 facilities and registered family homes;

1           (7) [~~(6)~~] require procedures for parental and  
2 guardian consultation in the formulation of children's educational  
3 and therapeutic programs; and

4           (8) [~~(7)~~] prevent the breakdown of foster care and  
5 adoptive placement.

6           (e-2) The department shall collaborate with the Department  
7 of Agriculture in developing minimum standards under Subsection  
8 (e)(5) relating to healthy food service.

9           SECTION 2. Section 42.0421, Human Resources Code, is  
10 amended by adding Subsection (e) to read as follows:

11           (e) The department shall develop and implement minimum  
12 training standards for day-care centers, group day-care homes, or  
13 family homes that address the role that those child-care providers  
14 have in preventing obesity and overweight conditions among  
15 preschool-aged children, including the promotion of proper  
16 nutrition and appropriate physical activity.

17           SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2009.