

By: Gutierrez

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 and that food served meets the federal
19 nutritional guidelines of the child and adult care food program
20 under 42 U.S.C. Section 1766;

21 (5) prohibit racial discrimination by child-care
22 facilities and registered family homes;

23 (6) require procedures for parental and guardian
24 consultation in the formulation of children's educational and

1 therapeutic programs; and

2 (7) prevent the breakdown of foster care and adoptive
3 placement.

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

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

9 (e) The department shall develop and implement minimum
10 training standards that address the role that child-care providers
11 have in preventing obesity and overweight conditions among
12 preschool-aged children, including the promotion of proper
13 nutrition and appropriate physical activity.

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