

By: Flores

H.B. No. 2218

A BILL TO BE ENTITLED

AN ACT

relating to the distribution of federal child care development funds to local workforce development boards.

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

SECTION 1. Section 302.0042, Labor Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The commission shall determine each local workforce development board's average maximum reimbursement rate in effect during the previous year before evaluating the formulas used to distribute federal child care development funds as required by Subsection (a). To determine that average rate, the commission shall average the local workforce development area's maximum reimbursement rates in effect for each type of care, but may not weight the average according to the area's child care case mix.

(d) Each year after determining the average maximum reimbursement rates as provided by Subsection (c), the commission shall identify each local workforce development area that has an average maximum reimbursement rate that is ranked in the third or fourth quartile of those rates. The commission shall adjust the child care development fund distribution formulas to provide sufficient funds estimated to enable the local workforce development board in each identified area to increase the average maximum reimbursement rate to equal the overall average maximum reimbursement rate for all local workforce development areas.

1 (e) Funds provided to a local workforce development board
2 under Subsection (d) may be used only to increase child care
3 reimbursement rates, and may not be used for administrative
4 expenses or to increase the number of children provided services.
5 The board shall provide a report to the commission at intervals
6 required by the commission that describes in detail the purposes
7 for which the funds were used. The commission shall compile the
8 reports into a single report and provide that report to the
9 legislature not later than December 1 of each even-numbered year.

10 SECTION 2. If before implementing any provision of this Act
11 a state agency determines that a waiver or authorization from a
12 federal agency is necessary for implementation of that provision,
13 the agency affected by the provision shall request the waiver or
14 authorization and may delay implementing that provision until the
15 waiver or authorization is granted.

16 SECTION 3. This Act takes effect September 1, 2009.