

BILL ANALYSIS

Senate Research Center
86R14205 MM-F

H.B. 4090
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Section 42.048, Human Resources Code, the licenses of facilities considered "child care operations" are automatically revoked if the child care operation changes locations. This includes school age programs (SAPs), even those that operate as few as two hours a day, three days a week during the summer when school is not in session. Examples of summer school age programs include district summer camps and even some Head Start programs.

H.B. 4090 would create an exemption of an automatic license revocation for school age programs that operate exclusively in the summer period, or any other time when school is not in session.

This exemption will reduce the rigorous process on the SAP to apply for a new license, and reduce workload for Child Care Licensing staff, who are responsible for approving applications and conducting inspections before approval.

However, the SAP must still alert the Department of Family and Protective Services (DFPS) of the new location. And DFPS would still have to grant approval to the SAP before the SAP can begin programming in the new location.

The bill unanimously passed the House and there is no known opposition.

H.B. 4090 amends current law relating to the licensing of certain school-age programs that provide child-care services.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.048, Human Resources Code, by amending Subsection (e) and adding Subsections (e-1), (e-2), and (e-3), as follows:

(e) Provides that, except as provided by Subsections (e-1), (e-2), and (e-3), rather than except as provided by this subsection, a change in location or ownership of certain child-care facilities and programs automatically revokes a license.

(e-1) Creates this subsection from existing text of Subsection (e) and makes no further changes.

(e-2) Creates this subsection from existing text of Subsection (e) and makes no further changes.

(e-3) Provides that a change in location of a school-age program operated exclusively during the summer period or any other time when school is not in session does not automatically revoke the license to operate the school-age program. Prohibits a school-age program that changes location from operating at the new location unless the

Department of Family and Protective Services approves the new location after the school-age program meets all requirements related to the new location.

SECTION 2. Effective date: September 1, 2019.