

By: Lucio

S.B. No. 2087

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties of the Texas Workforce Commission  
3 and local workforce development boards regarding the provision of  
4 child care and the subsidized child care program.

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

6 SECTION 1. Section [2308.3155](#), Government Code, is amended  
7 by amending Subsection (a) and adding Subsection (b-1) to read as  
8 follows:

9 (a) The Texas Rising Star Program is a [~~voluntary,~~]  
10 quality-based child care rating system of child care providers  
11 participating in the commission's subsidized child care program.

12 (b-1) The rating system adopted under Subsection (b) must  
13 include an entry level rating for child care providers and a maximum  
14 length of time a provider may participate at the entry level rating.  
15 To qualify for the entry level rating a child care provider must  
16 meet the minimum quality standards that qualify the provider to  
17 receive technical assistance and support under the Texas Rising  
18 Star Program. A provider participating at the entry level rating is  
19 not eligible for increased reimbursement rates.

20 SECTION 2. Sections [302.0042](#)(b) and (c), Labor Code, are  
21 amended to read as follows:

22 (b) The commission's evaluation must assess:

23 (1) the use of current federal child care funds by each  
24 local workforce development board;

1           (2) the ability of each local workforce development  
2 board to meet child care performance measures;

3           (3) the average cost of child care in each local  
4 workforce development area;

5           (4) the average monthly price charged by child care  
6 providers for full-day child care in each local workforce  
7 development area as stated in the market rate survey conducted  
8 under 45 C.F.R. Section 98.45(c);

9           (5) the average monthly price charged by quality child  
10 care providers for full-day child care in each local workforce  
11 development area;

12           (6) the poverty rate of each local workforce  
13 development area compared to the state's poverty rate;

14           (7) the number of children on waiting lists for child  
15 care in each local workforce development area;

16           (8) the number of places that are reserved by each  
17 local workforce development board in contracts authorized under  
18 Section 302.0461 for participants in the child-care subsidy program  
19 out of the total number of children enrolled with a provider on a  
20 full-time basis categorized by age of the child for each provider in  
21 each local workforce development area that is certified as a  
22 2-star, 3-star, or 4-star provider in the Texas Rising Star Program  
23 or that does not participate in the Texas Rising Star Program;

24           (9) the total number of child care providers  
25 participating in the Texas Rising Star Program in each local  
26 workforce development area and the number of 2-star, 3-star, and  
27 4-star rated child care providers in the local workforce

1 development area;

2 (10) the number of child care providers participating  
3 in the Texas Rising Star Program in each local workforce  
4 development area as a percentage of the total number of both  
5 subsidized child care providers and all child care providers in the  
6 local workforce development area;

7 (11) the number of 2-star, 3-star, and 4-star rated  
8 child care providers in the local workforce development area as a  
9 percentage of the total number of both subsidized child care  
10 providers and all child care providers in the local workforce  
11 development area;

12 (12) the total number of children enrolled in  
13 subsidized child care providers participating in the Texas Rising  
14 Star Program in each local workforce development area and the  
15 number of subsidized children enrolled in 2-star, 3-star, and  
16 4-star rated child care providers in the local workforce  
17 development area; ~~and~~

18 (13) the number of subsidized children enrolled in  
19 child care providers participating in the Texas Rising Star Program  
20 in each local workforce development area as a percentage of the  
21 total number of subsidized children enrolled in child care  
22 providers in the local workforce development area and the number of  
23 subsidized children enrolled in 2-star, 3-star, and 4-star rated  
24 child care providers in the local workforce development area as a  
25 percentage of the total number of subsidized children enrolled in  
26 child care providers in the local workforce development area; and

27 (14) the number of 3-star and 4-star rated child care

1 providers participating in partnerships with public school  
2 districts and public charter schools based on data provided by the  
3 Texas Education Agency, as necessary.

4 (c) For the purposes of evaluation under this section, the  
5 commission shall annually update the information described by  
6 Subsections (b)(7)-(14) [~~(b)(7)-(13)~~].

7 SECTION 3. Subchapter A, Chapter 302, Labor Code, is  
8 amended by adding Section 302.00436 to read as follows:

9 Sec. 302.00436. SUBSIDIZED CHILD CARE PROGRAM: INFORMATION  
10 FOR PUBLIC SCHOOLS. Each local workforce development board shall  
11 inform the local school districts and open-enrollment charter  
12 schools in the workforce development area regarding opportunities  
13 to partner with child-care providers in the board's area to expand  
14 access to and provide facilities for prekindergarten programs.

15 SECTION 4. Section 302.0461, Labor Code, is amended by  
16 amending Subsection (d) and adding Subsection (e) to read as  
17 follows:

18 (d) The commission shall determine the information that  
19 must be included in the report required by Subsection (c). A local  
20 workforce development board shall update the report required by  
21 Subsection (c) every 12 [~~six~~] months from the date the board submits  
22 its initial report to the commission.

23 (e) A local workforce development board may allow a child  
24 care provider with whom the board contracts under Subsection (a) to  
25 identify and refer to the board children who could be eligible for  
26 subsidized child care services. In making a referral under this  
27 subsection, the child care provider shall consider whether the

1 child or the child's parent is a member of a group entitled to a  
2 priority in the provision of services provided by or in cooperation  
3 with the commission, including a priority described by Section  
4 302.152 of this code or Section 264.121(a)(3), Family Code.

5 SECTION 5. This Act takes effect September 1, 2021.