

House Bill 2607
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

(b) The commission's evaluation must assess:

- (1) the use of current federal child care funds by each local workforce development board;
- (2) the ability of each local workforce development board to meet child care performance measures;
- (3) the average cost of child care in each local workforce development area;

SENATE VERSION (CS)

SECTION 1. Section 2308.3155, Government Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (b-2) to read as follows:

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

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

(b-2) The commission shall develop a process to allow a child care provider to request a waiver to extend the length of time the provider may participate at the entry level rating described by Subsection (b-1). The waiver authorized by this subsection may not exceed 36 months.

SECTION 2. Same as House version.

CONFERENCE

House Bill 2607
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (4) the average monthly price charged by child care providers for full-day child care in each local workforce development area as stated in the market rate survey conducted under 45 C.F.R. Section 98.45(c);
- (5) the average monthly price charged by quality child care providers for full-day child care in each local workforce development area;
- (6) the poverty rate of each local workforce development area compared to the state's poverty rate;
- (7) the number of children on waiting lists for child care in each local workforce development area;
- (8) the number of places that are reserved by each local workforce development board in contracts authorized under Section 302.0461 for participants in the child-care subsidy program out of the total number of children enrolled with a provider on a full-time basis categorized by age of the child for each provider in each local workforce development area that is certified as a 2-star, 3-star, or 4-star provider in the Texas Rising Star Program or that does not participate in the Texas Rising Star Program;
- (9) the total number of child care providers participating in the Texas Rising Star Program in each local workforce development area and the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area;
- (10) the number of child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of the total number of both subsidized child care providers and all child care providers in the local workforce development area;
- (11) the number of 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a

SENATE VERSION (CS)

CONFERENCE

House Bill 2607
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

percentage of the total number of both subsidized child care providers and all child care providers in the local workforce development area;

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

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

(14) the number of 3-star and 4-star rated child care providers participating in partnerships with public school districts and public charter schools based on data provided by the Texas Education Agency, as necessary.

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

SECTION 3. Subchapter A, Chapter 302, Labor Code, is amended by adding Section 302.00436 to read as follows:
Sec. 302.00436. SUBSIDIZED CHILD CARE PROGRAM: INFORMATION FOR PUBLIC SCHOOLS. Each local

SENATE VERSION (CS)

SECTION 3. Same as House version.

CONFERENCE

House Bill 2607
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

workforce development board shall inform the local school districts and open-enrollment charter schools in the workforce development area regarding opportunities to partner with child-care providers in the board's area to expand access to and provide facilities for prekindergarten programs.

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

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

(e) A local workforce development board may allow a child care provider with whom the board contracts under Subsection (a) to identify and refer to the board children who could be eligible for subsidized child care services. In making a referral under this subsection, the child care provider shall consider whether the child or the child's parent is a member of a group entitled to a priority in the provision of services provided by or in cooperation with the commission, including a priority described by Section 302.152 of this code or Section 264.121(a)(3), Family Code.

SECTION 5. The Texas Workforce Commission and local workforce development boards are required to implement a provision of this Act only if the state receives federal money for that purpose. If the state does not receive federal money for that purpose, the commission and the boards may, but are

SENATE VERSION (CS)

SECTION 4. Section 302.0461(d), Labor Code, is amended to read as follows:

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

SECTION 5. The Texas Workforce Commission and local workforce development boards are required to implement a provision of this Act only if federal money is available for that purpose and using the federal money for that purpose would not result in supplanting or decreasing existing funding for

CONFERENCE

House Bill 2607
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 6. This Act takes effect September 1, 2021.

SENATE VERSION (CS)

programs currently funded by the Texas Workforce Commission using available federal money under the Child Care Development Block Grant. If the state does not receive sufficient additional federal money under the Child Care Development Block Grant or other federal money to implement a provision of this Act, the commission and the boards may, but are not required to, implement a provision of this Act using other appropriations available for that purpose.

SECTION 6. Same as House version.

CONFERENCE