

## **BILL ANALYSIS**

Senate Research Center  
88R22923 MM-F

H.B. 1614  
By: Dutton (Menéndez)  
Education  
5/16/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

With the passage of H.B. 3 in 2019, public school districts were encouraged to expand prekindergarten options available to families. Instead of building new buildings for expanded prekindergarten, H.B. 3 encouraged school districts to partner with existing highquality child-care programs in their communities. These partnerships provide children and working parents with high-quality prekindergarten programs and often provide wraparound care for hours outside of the traditional school day.

Prekindergarten partnerships save taxpayers money, eliminate the need for school bonds, and open up more options for working parents and employers. Unfortunately, bureaucratic hurdles and slightly different eligibility thresholds have made these partnerships logistically difficult to execute at the community level, leaving children who may be eligible for enrollment in prekindergarten partnerships nevertheless unable to attend free prekindergarten. This has the unintended consequence of disincentivizing prekindergarten partnerships and keeping families from accessing free prekindergarten services they need.

H.B. 1614 seeks to extend free prekindergarten eligibility to certain of the children participating in prekindergarten partnerships that are receiving state child-care subsidies through a grant program administered by the commissioner of education.

H.B. 1614 amends current law relating to a grant program to provide free public school prekindergarten programs to certain children who are eligible for the subsidized child-care program administered by the Texas Workforce Commission.

### **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 Subchapter E, Chapter 29, Education Code, by adding Section 29.1537, as follows:

Sec. 29.1537. PREKINDERGARTEN COMMUNITY-BASED CHILD-CARE PARTNERSHIP GRANT PROGRAM. (a) Requires the commissioner of education (commissioner) to establish and administer a grant program to support school districts and open-enrollment charter schools in increasing partnerships with community-based child-care providers to provide prekindergarten classes under Section 29.153 (Free Prekindergarten for Certain Children).

(b) Authorizes a school district or open-enrollment charter school to apply for a grant under the program in partnership with a community-based child-care provider described by Section 29.153(g) (relating to requiring a school district or open-enrollment charter school, before the district or school is authorized to construct, repurpose, or lease a classroom facility to provide prekindergarten classes, to solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who meet certain criteria).

(c) Requires a school district or open-enrollment charter school to use money received under the grant program to fund the enrollment of eligible children in prekindergarten classes provided under Section 29.153 through a partnership between the district or school and a community-based child-care provider described by Section 29.153(g). A child is eligible for enrollment in a prekindergarten class described by this subsection using money received under the grant program if the child is:

(1) at least three years of age; and

(2) receives subsidized child-care services provided through the child-care services program administered by the Texas Workforce Commission.

(d) Authorizes the commissioner to provide grants under the grant program for the enrollment in each school year of not more than 3,500 children in a prekindergarten class described by Subsection (c).

(e) Requires the Texas Education Agency to annually report to the legislature regarding the number of children described by Subsection (c) enrolled in a prekindergarten class.

SECTION 2. Provides that Section 29.1537, Education Code, as added by this Act, applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.