

BILL ANALYSIS

Senate Research Center
88R11003 MLH-D

S.B. 1327
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Health & Human Services
4/7/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas lost 21 percent of childcare providers in 2021, decreasing access to parents and contributing further to the state's childcare provider shortage. There are 635 communities across Texas considered childcare deserts, meaning there is three times the number of children under age six than the providers available. One main challenge for childcare centers is recruiting and retaining qualified childcare directors to lead the facility.

S.B. 1327 seeks to ease the staffing burden on childcare centers by providing leniency for prospective childcare directors finishing their education requirements, as required by current rule. The bill would allow new childcare directors to begin serving while giving them a 12-month grace period to complete the education requirements necessary. During this period, the childcare director would be designated an "interim childcare director" until they meet the necessary requirements.

As proposed, S.B. 1327 amends current law relating to authorizing a day-care center to employ an interim director.

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 C, Chapter 42, Human Resources Code, by adding Section 42.04201, as follows:

Sec. 42.04201. INTERIM DIRECTOR. (a) Authorizes a candidate to serve as the director of a licensed day-care center, if the candidate meets all the qualifications for a director prescribed by Department of Family and Protective Services (DFPS) rules except for the education requirements, to serve as interim director of the day-care center for not longer than 12 months while the candidate completes the requisite education.

(b) Authorizes the interim director, if the interim director completes the education requirements prescribed by DFPS before the end of the 12th month after the date the person began serving as interim director, to become the director of the licensed day-care center.

(c) Requires the licensed day-care center, if the interim director fails to complete the education requirements prescribed by DFPS before the end of the 12th month after the date the person began serving as interim director, to employ a new director.

SECTION 2. Amends Section 42.0761(a), Human Resources Code, to provide that an owner or operator of a day-care center commits an offense if the owner or operator knowingly operates the day-care center in certain circumstances, including without an interim director under Section 42.04201.

SECTION 3. Effective date: September 1, 2023.