

House Bill 4903
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 1. Subtitle B, Title 3, Human Resources Code, is amended by adding Chapter 74 to read as follows:</p> <p><u>CHAPTER 74. QUAD-AGENCY CHILD CARE INITIATIVE</u></p> <p><u>Sec. 74.001. DEFINITIONS. In this chapter:</u></p> <p><u>(1) "Commission" means the Quad-Agency Child Care Initiative Commission unless the context indicates otherwise.</u></p> <p><u>(2) "Initiative" means the Quad-Agency Child Care Initiative established under this chapter.</u></p> <p><u>(3) "Participating agency" means a state agency participating in the initiative, including:</u></p> <p><u>(A) the Texas Workforce Commission;</u></p> <p><u>(B) the Health and Human Services Commission;</u></p> <p><u>(C) the Department of Family and Protective Services; and</u></p> <p><u>(D) the Texas Education Agency.</u></p> <p><u>(4) "Quad-Agency chair" means the chair of the commission.</u></p> <p><u>Sec. 74.002. PURPOSE. (a) The Quad-Agency Child Care Initiative is established to foster collaboration, coordinate policies, and review and streamline regulations between the participating agencies that govern child care in the state.</u></p> <p><u>(b) The Quad-Agency Child Care Initiative Commission is established to lead the Quad-Agency Child Care Initiative.</u></p> <p><u>Sec. 74.003. MEMBERSHIP. (a) The commission is composed of the following members:</u></p> <p><u>(1) the chair of the Texas Workforce Commission;</u></p> <p><u>(2) the executive commissioner of the Health and Human Services Commission;</u></p> <p><u>(3) the commissioner of the Department of Family and Protective Services; and</u></p>	<p>SECTION 1. Subtitle B, Title 3, Human Resources Code, is amended by adding Chapter 74 to read as follows:</p> <p><u>CHAPTER 74. QUAD-AGENCY CHILD CARE INITIATIVE</u></p> <p><u>Sec. 74.001. DEFINITIONS. In this chapter:</u></p> <p><u>(1) "Commission" means the Quad-Agency Child Care Initiative Commission unless the context indicates otherwise.</u></p> <p><u>(2) "Initiative" means the Quad-Agency Child Care Initiative established under this chapter.</u></p> <p><u>(3) "Participating agency" means a state agency participating in the initiative, including:</u></p> <p><u>(A) the Texas Workforce Commission;</u></p> <p><u>(B) the Health and Human Services Commission;</u></p> <p><u>(C) the Department of Family and Protective Services; and</u></p> <p><u>(D) the Texas Education Agency.</u></p> <p><u>(4) "Quad-Agency chair" means the chair of the commission.</u></p> <p><u>Sec. 74.002. PURPOSE. (a) The Quad-Agency Child Care Initiative is established to foster collaboration, coordinate policies, and review and recommend actions to streamline regulations between the participating agencies that govern child care in the state. [FA1(1)]</u></p> <p><u>(b) The Quad-Agency Child Care Initiative Commission is established to lead the Quad-Agency Child Care Initiative.</u></p> <p><u>Sec. 74.003. MEMBERSHIP. (a) The commission is composed of the following members:</u></p> <p><u>(1) the chair of the Texas Workforce Commission or the chair's designee; [FA1(2)]</u></p> <p><u>(2) the executive commissioner of the Health and Human Services Commission or the executive commissioner's designee; [FA1(3)]</u></p> <p><u>(3) the commissioner of the Department of Family and Protective Services or the commissioner's designee; and</u></p>	

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(4) the commissioner of education.

(b) The chair of the Texas Workforce Commission shall serve as the chair of the commission.

Sec. 74.004. INTERAGENCY STAFFING. (a) The participating agencies shall enter into one or more interagency agreements establishing policies and processes for coordinating the assignment of existing staff and other resources as necessary to perform the duties of this chapter.

(b) The time spent by an employee of a participating agency in supporting the work of the initiative is not included in calculating the number of full-time equivalent employees allotted to the respective agencies under other law.

Sec. 74.005. DUTIES. The commission shall:

- (1) coordinate participating agency initiatives that impact the cost, quality, or accessibility of child care;
- (2) consider and start interagency initiatives to expand access to quality, affordable child care; and
- (3) review and streamline existing or proposed regulations, rules, policies, or any other participating agency actions that impact the child-care industry to:

(A) resolve regulatory conflicts and duplication among participating agencies;

(B) lower insurance costs for child-care providers;

(C) protect the health and safety of children participating in child care;

(D) advance quality education for child-care providers; and

(E) create consistent, predictable, and reasonable enforcement mechanisms among participating agencies.

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[FA1(4)]

(4) the commissioner of education or the commissioner's designee. [FA1(5)]

(b) The chair of the Texas Workforce Commission or the chair's designee shall serve as the chair of the commission.

[FA1(6)]

Sec. 74.004. INTERAGENCY STAFFING. (a) The participating agencies shall enter into one or more interagency agreements establishing policies and processes for coordinating the assignment of existing staff and other resources as necessary to perform the duties of this chapter.

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[FA1(7)]

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Sec. 74.006. MEETINGS. (a) The commission shall meet at least three times each year.

(b) The commission may meet in person or using a virtual platform that allows for a recording and live broadcast that is accessible to the public.

(c) The commission is a governmental body for purposes of Chapter 551, Government Code.

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(b) The commission may meet in person or using a virtual platform that allows for a recording and live broadcast that is accessible to the public.

(c) The commission is a governmental body for purposes of Chapter 551, Government Code.

(d) Not later than the 30th day after the date a meeting is held under this section, the Quad-Agency chair shall:

(1) prepare and submit to the office of the governor a report that includes a list of existing or proposed regulations, rules, policies, or other participating agency actions under review by the commission; and

(2) make the report prepared under Subdivision (1) available to the public on the Texas Workforce Commission's Internet website until the second anniversary of the date the meeting is held under this section.

Sec. 74.007. SUBJECT MATTER EXPERT INPUT. (a) In performing a duty under Section 74.005, the Quad-Agency chair may request input from a subject matter expert, including a child-care provider. Input requested under this section may be:

(1) submitted in writing; or

(2) provided in person at a meeting held under Section 74.006.

(b) Except as provided by Subsection (c), the commission shall make all written submissions by a subject matter expert available to the public on the Texas Workforce Commission's Internet website until the second anniversary of the date the submission is made.

(c) A subject matter expert who makes a written submission may request the written submission be kept confidential. If a

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Sec. 74.007. REVIEW BY COMMISSION. (a) The Quad-Agency chair may initiate an independent review by the commission of any existing or proposed regulation, rule, policy, or other participating agency action that may impact the cost, quality, or accessibility of child care to determine whether:

(1) the regulation, rule, policy, or other agency action is consistent with the objectives identified in Section 74.005(3); and

(2) a less restrictive regulation, rule, policy, or other agency action could more effectively achieve the objectives identified in Section 74.005(3).

(b) In conducting a review under this section, the Quad-Agency chair may request additional information from a participating agency. A participating agency shall provide the additional information in writing as soon as practicable after receiving a request under this section.

(c) The commission shall:

(1) not later than the 10th business day after the date a review is initiated under this chapter, provide notice of the review, including instructions on how to submit public comments on the review;

(A) on the Texas Workforce Commission's Internet website;

(B) by e-mail to individuals who have subscribed to receive notifications through the Texas Workforce Commission's Internet website; and

(C) using any other relevant stakeholder communication platforms; and

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subject matter expert requests that the written submission be kept confidential, the commission may not make the written submission available to the public on the Texas Workforce Commission's Internet website. [FA1(8)]

Sec. 74.008. REVIEW BY COMMISSION. (a) The Quad-Agency chair may initiate an independent review by the commission of any existing or proposed regulation, rule, policy, or other participating agency action that may impact the cost, quality, or accessibility of child care to determine whether: [FA1(9)]

(1) the regulation, rule, policy, or other agency action is consistent with the objectives identified in Section 74.005(3); and

(2) a less restrictive regulation, rule, policy, or other agency action could more effectively achieve the objectives identified in Section 74.005(3).

(b) In conducting a review under this section, the Quad-Agency chair may request additional information from a participating agency. A participating agency shall provide the additional information in writing as soon as practicable after receiving a request under this section.

(c) The commission shall:

(1) not later than the 10th business day after the date a review is initiated under this chapter, provide notice of the review, including instructions on how to submit public comments on the review;

(A) on the Texas Workforce Commission's Internet website;

(B) by e-mail to individuals who have subscribed to receive notifications through the Texas Workforce Commission's Internet website; and

(C) using any other relevant stakeholder communication platforms; and

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(2) make the following available to the public on the Texas Workforce Commission's Internet website for each review conducted under this chapter for not less than two years from the date a determination is made under Section 74.011:

(A) all public comments submitted;

(B) all written agency submissions; and

(C) the determination of the commission based on the review. Sec. 74.008. RIGHT TO REQUEST REVIEW. (a) The commission shall establish a process by which members of the public, elected officials, or leadership from agencies that are not participating agencies may request a review of any existing or proposed regulation, rule, policy, or other participating agency action that may impact the cost, quality, or accessibility of child care.

(b) The Quad-Agency chair may grant a request to conduct a review requested under this section.

(c) The commission shall make all requests for review submitted under this section available to the public on the Texas Workforce Commission's Internet website for not less than two years from the date the commission receives the request.

Sec. 74.009. EXPEDITED REVIEW. (a) A participating agency whose existing or proposed regulation, rule, policy, or other agency action is being reviewed under Section 74.007 may request an expedited review.

(b) The Quad-Agency chair shall grant a request for expedited review if the participating agency demonstrates:

(1) an extraordinary circumstance; or

(2) the need to meet a statutory or administrative deadline.

(c) If a request for an expedited review is granted, the Quad-

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(2) make the following available to the public on the Texas Workforce Commission's Internet website for each review conducted under this chapter for not less than two years from the date a determination is made under Section 74.011:

(A) all public comments submitted;

(B) all written agency submissions; and

(C) the determination of the commission based on the review. Sec. 74.009. RIGHT TO REQUEST REVIEW. (a) The commission shall establish a process by which members of the public, elected officials, or leadership from agencies that are not participating agencies may request a review of any existing or proposed regulation, rule, policy, or other participating agency action that may impact the cost, quality, or accessibility of child care. [FA1(10)]

(b) The Quad-Agency chair may grant a request to conduct a review requested under this section.

(c) The commission shall make all requests for review granted under Subsection (b) available to the public on the Texas Workforce Commission's Internet website for not less than two years from the date the Quad-Agency chair grants the request. [FA1(11)-(12)]

No equivalent provision. Sec. 74.009. [Deleted by FA1(13)]

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Agency chair shall coordinate with the participating agency to accommodate completion of the review within the timeline requested by the agency.

Sec. 74.010. PUBLIC COMMENT. (a) For each review conducted under this chapter, the commission shall accept public comment through the Texas Workforce Commission's Internet website from the date notice regarding the review is provided under Section 74.007(c)(1) until:

(1) the end of the 30th day after that date; or

(2) the end of the 10th day after that date for an expedited review granted under Section 74.009.

(b) As part of a review under this chapter, the Quad-Agency chair:

(1) shall consider all comments received within the public comment period provided under Subsection (a); and

(2) may consider public comments received outside of the public comment period provided under Subsection (a).

Sec. 74.011. DETERMINATION. (a) After a public comment period under Section 74.010 has closed, the commission shall render the commission's determination as to whether or not the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter is consistent with the objectives identified in Section 74.005(3).

(b) If the commission determines that the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter:

(1) is consistent with the objectives identified in Section 74.005(3), no further action will be taken; or

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Sec. 74.010. PUBLIC COMMENT. (a) For each review conducted under this chapter, the commission shall accept public comment through the Texas Workforce Commission's Internet website from the date notice regarding the review is provided under Section 74.008(c)(1) until the end of the 30th day after that date. [FA1(14)]

(b) As part of a review under this chapter, the Quad-Agency chair:

(1) shall consider all comments received within the public comment period provided under Subsection (a); and

(2) may consider public comments received outside of the public comment period provided under Subsection (a).

Sec. 74.011. DETERMINATION. (a) After a public comment period under Section 74.010 has closed, the commission shall render the commission's determination as to whether or not the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter is consistent with the objectives identified in Section 74.005(3).

(b) If the commission determines that the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter is consistent with the objectives identified in Section 74.005(3), no further action will be taken.

If the commission determines that the existing or proposed

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(2) is inconsistent with the objectives identified in Section 74.005(3),

the participating agency whose existing or proposed regulation, rule, policy, or other agency action was the subject of the review shall:

(A) immediately cease any enforcement activity related to the regulation, rule, policy, or other agency action;

(B) withdraw the regulation, rule, policy, or other agency action as soon as practicable; and

(C) if the participating agency considers appropriate, replace it with a less restrictive regulation, rule, policy, or other agency action.

(c) The commission may provide suggestions to a participating agency on less restrictive regulations, rules, policies, or other agency actions the agency may adopt to

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regulation, rule, policy, or other participating agency action reviewed under this chapter is inconsistent with the objectives identified in Section 74.005(3), or if the commission cannot reach a determination, the commission shall submit the commission's findings to the Texas Regulatory Efficiency Office.

(c) If the commission submits the commission's findings to the Texas Regulatory Efficiency Office, the Texas Regulatory Efficiency Office shall conduct a review of the commission's findings and render a final determination as to whether the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter is consistent with the objectives identified in Section 74.005(3).

(d) If the Texas Regulatory Efficiency Office determines that the existing or proposed regulation, rule, policy, or other participating agency action reviewed under this chapter:

(1) is consistent with the objectives identified in Section 74.005(3), no further action will be taken; or

(2) is inconsistent with the objectives identified in Section 74.005(3), the participating agency whose existing or proposed regulation, rule, policy, or other agency action was the subject of the review shall:

(A) cease any enforcement activity related to the regulation, rule, policy, or other agency action as soon as practicable;

(B) withdraw the regulation, rule, policy, or other agency action as soon as practicable; and

(C) if the participating agency considers appropriate, replace the regulation, rule, policy, or other agency action with a less restrictive regulation, rule, policy, or other agency action.

(e) The commission and the Texas Regulatory Efficiency Office may provide suggestions to a participating agency on less restrictive regulations, rules, policies, or other agency

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replace a regulation, rule, policy, or other agency action that the commission considers inconsistent with the objectives identified in Section 74.005(3).

(d) This section may not be construed to authorize the commission to require a participating agency to adopt a less restrictive regulation, rule, policy, or other agency action suggested by the commission under Subsection (c).

SECTION 2. Not later than **March 31, 2026**, the Quad-Agency Child Care Initiative Commission shall hold the first meeting required under Section 74.006, Human Resources Code, as added by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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actions the agency may adopt to replace a regulation, rule, policy, or other agency action that the commission considers inconsistent with the objectives identified in Section 74.005(3).

(f) This section may not be construed to:
(1) authorize the commission or the Texas Regulatory Efficiency Office to require a participating agency to adopt a less restrictive regulation, rule, policy, or other agency action suggested by the commission under Subsection (e); or
(2) prohibit a participating agency from withdrawing or replacing an existing regulation, rule, policy, or other participating agency action under law or agency procedure.
[FA1(15)]

SECTION 2. Not later than **December 31, 2025**, the Quad-Agency Child Care Initiative Commission shall hold the first meeting required under Section 74.006, Human Resources Code, as added by this Act. [FA1(16)]

SECTION 3. Same as House version.

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