

BILL ANALYSIS

Senate Research Center

S.B. 1327
By: Blanco
Health & Human Services
5/29/2023
Enrolled

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.

(Original Author's/Sponsor's Statement of Intent)

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 day-care center operating under an initial license under Section 42.051 (Initial License), if the candidate meets all the qualifications for a director prescribed by the 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 or obtains a waiver to the education requirement authorized by Health and Human Services Commission rule.

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

(c) Requires the day-care center, if the interim director fails to complete the education requirements prescribed by DFPS or obtains a waiver to the education requirement 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, as follows:

(a) Provides that an owner or operator of a day-care center commits an offense if the owner or operator knowingly operates the day-care center:

(1) without a director who meets the qualifications of a director prescribed by DFPS rules or an interim director under Section 42.04201; or

(2) without the routine presence during the day-care center's hours of operation of a director or an interim director described by Subdivision (1).

SECTION 3. Effective date: September 1, 2023.