

BILL ANALYSIS

Senate Research Center

S.B. 1496
By: Barrientos
Health & Human Services
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DIGEST AND PURPOSE

The Child Care Development Board was created to identify the need for and study the development of a child care program to provide child care services for state employees. The legislative function of this board was achieved and the state child care program is in full operation. As proposed, S.B. 1496 strikes the development function and leaves intact a child care advisory committee to oversee the administration of the child care program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the General Services Commission in SECTION 3 (Section 663.101, Government Code) and SECTION 7 (Section 2165.103, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 663.001 and 663.002, Government Code, as follows:

Sec. 663.001. Deletes definition of "board." Redefines "child care program" to mean a program developed by the General Services Commission (commission), rather than board.

Sec. 663.002. Provides that the duties and responsibilities of the commission, rather than the board or commission, under Section 2166.551 are not affected by Sections 663.003, 663.103, 663.104, and 663.105.

SECTION 2. Amends Chapter 663B, Government Code, as follows:

SUBCHAPTER B. New heading: CHILD CARE ADVISORY COMMITTEE

Sec. 663.051. New heading: ADVISORY COMMITTEE. Authorizes the commission, rather than board, to appoint to the advisory committee two representatives of nonprofit organizations involved with the delivery or support of child care services, rather than a representative of the child care working group of the United Way of Texas and a representative of the Texas Association for the Education of Young Children. Deletes existing Sections 663.051, 663.052, and 663.053, regarding the Child Care Development Board, its composition, and its staff, equipment, and supplies. Makes conforming changes.

Sec. 663.052. New heading: REPORT OF COMMISSION. Redesignated from Section 663.055. Makes conforming changes.

SECTION 3. Amends Sections 663.101-663.104, Government Code, to delete text regarding the board, to transfer rulemaking authority from the board to the commission, and to make conforming changes.

SECTION 4. Amends Sections 663.106-663.111, Government Code, to delete text granting the board rulemaking authority, and regarding sites for child care facilities. Makes conforming changes.

SECTION 5. Amends Section 663.113(a), Government Code, to make a conforming change.

SECTION 6. Amends Section 1232.203, Government Code, as follows:

Sec. 1232.203. New heading: LEASE OF SPACE FOR CHILD CARE FACILITY. Provides that the commission, when acting under Chapter 663, rather than the Child Care Development Board, is not an occupying state agency for purposes of Section 1232.201. Makes a conforming change.

SECTION 7. Amends Section 2165.103, Government Code, as follows:

Sec. 2165.103. New heading: CHILD CARE FACILITY STANDARDS. Requires the commission, in consultation with the Child Care Advisory Committee, rather than the Development Board, to by rule adopt certain standards. Makes a conforming change.

SECTION 8. Amends Sections 2165.206 (b) and (c), Government Code, to make conforming changes.

SECTION 9. Amends Section 2165.207(b), Government Code, to make a conforming change.

SECTION 10. Amends Section 2165.208(b), Government Code, to make a conforming change.

SECTION 11. Amends Sections 2165.209 and 2165.210, Government Code, to delete text regarding the Child Care Development Board's approval for leasing space for child care.

SECTION 12. Amends Section 2166.551, Government Code, to delete text regarding the board's notification of the commission concerning certain information by a certain date. Makes conforming changes.

SECTION 13. Amends Sections 2167.104(a), (d), and (e), Government Code, to make conforming changes.

SECTION 14. Amends Section 81.002(b), Labor Code, to delete the requirement that one member of the advisory committee be a representative of the Child Care Development Board.

SECTION 15. Effective date: September 1, 2001.

Provides that the Child Care Development Board is abolished on the effective date of this Act. Provides that the rules, policies, procedures, and decisions of the Child Care Development Board are continued in effect as rules, policies, procedures, and decisions of the General Services Commission.

Provides that the change in law made by this Act does not affect the validity of any action taken by the Child Care Development Board before the effective date of this Act.