

## **BILL ANALYSIS**

Senate Research Center  
80R9244 ABC-D

C.S.S.B. 218  
By: Carona  
Health & Human Services  
3/7/2007  
Committee Report (Substituted)

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

Under current law, certain educational entities that operate on-premise after-school child care programs are exempt from regulations by the Department of Family and Protective Services (DFPS) relating to the health, safety, and welfare of children in the facility, as well as the adequate supervision of the children by qualified, well-trained personnel. As a result, the children attending these programs are not afforded the same protections as children attending regulated programs.

C.S.S.B. 218 requires certain educational entities that operate after-school child care programs to follow the same rules and regulations as currently regulated programs in order to ensure the health, safety, and welfare of the children attending such programs. The bill also requires DFPS to inspect such facilities as necessary, and authorizes a fee increase.

### **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 Section 42.041(b), Human Resources Code, by deleting the exemption of application of this section (regarding license requirements for a child-care facility or child-placing agency) for an after-school program operated directly by an accredited educational facility or by another entity under contract with the educational facility, if the Texas Education Agency (TEA) or Southern Association of Colleges and Schools has approved the curriculum content of the after-school program under the contract. Redesignates the Texas Department of Health as the Department of State Health Services.

SECTION 2. Amends Section 42.044, Human Resources Code, by adding Subsection (b-1), to require the Department of Family and Protective Services (DFPS) to inspect only as necessary a licensed child-care facility that offers only an after-school program operated directly by an accredited educational facility or an after-school program operated by an entity under contract with an educational facility accredited by TEA or the Southern Association of Colleges and Schools, if that agency or association has approved the curriculum content of the after-school program, notwithstanding Subsection (b).

SECTION 3. Amends Section 42.054(c), Human Resources Code, to increase the annual license fee that DFPS is required to charge each child-care facility for each child a child-care facility is permitted to serve from \$35 plus \$1 to \$35 plus \$2.

SECTION 4. Effective date: September 1, 2007.