



## Bills that Require Operations to Comply by September 1, 2023

*Please review the first column to confirm if the bill requirements apply to your operation type*

Bill Number and Operation Types	Bill Summary and Implementation Tasks	How to Comply	When to Comply
<p><a href="#">HOUSE BILL 59</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Licensed Child-Care Centers</li> <li>• School-Age Programs</li> <li>• Before and After-School Programs</li> <li>• Licensed Child-Care Homes</li> <li>• Registered Child-Care Homes</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b></p> <p>Amends Chapter 341 of the Health and Safety Code to:</p> <ul style="list-style-type: none"> <li>• Establish water safety requirements for certain child-care facilities; and</li> <li>• Subject an operation to disciplinary action if a requirement is violated.</li> </ul> <p>Specifically, Licensed Child-Care Centers, School-Age Programs, Before and After-School Programs, Licensed Child-Care Homes, and Registered Child-Care Homes that authorize a child to engage in an organized water activity shall:</p> <ul style="list-style-type: none"> <li>• Require the child’s parent or legal guardian to affirm in writing whether the child is able to swim or is at risk of injury or death when swimming or otherwise accessing a body of water; and</li> <li>• Unless the child is actively</li> </ul>	<p>Beginning 09/01/2023, Licensed Child-Care Centers, School-Age Programs, Before and After-School Programs, Licensed Child-Care Homes, and Registered Child-Care Homes must ensure that they are in compliance with the law’s new water safety requirements.</p> <p>Until rules are adopted, CCR staff will monitor for compliance with this statute.</p> <p><b>Technical Assistance</b></p> <p>On 09/01/2023, CCR will update the <a href="#">Child Safety Guide</a> and develop a TA document titled <a href="#">Wear It Right: Choosing and Fitting a Life Jacket</a> to assist operations in obtaining approved personal flotation devices.</p>	<p>09/01/2023</p>

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	<p>participating in swim instruction or a competition and the operation ensures the child is closely supervised during this activity, the operation must:</p> <ul style="list-style-type: none"> <li>○ Provide a properly fitted and fastened Type I, II, or III U.S. Coast Guard-approved personal floatation device for each child who is unable to swim or is at risk of injury or death when swimming or otherwise entering a body of water; and</li> <li>○ Ensure the child is wearing the device.</li> </ul> <p><b>Rule Changes</b>  CCR will propose relevant rule amendments in the following chapters in 26 Texas Administrative Code (TAC):</p> <ul style="list-style-type: none"> <li>● Chapter 744 (Minimum Standards for School-Age and Before or After-School Programs)</li> <li>● Chapter 746 (Minimum Standards for Licensed Child-Care Centers)</li> <li>● Chapter 747 (Minimum Standards for Registered and Licensed Child-Care Homes)</li> </ul>		

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	<p>During the rule revision process, CCR will email you to notify you when:</p> <ul style="list-style-type: none"> <li>You have the opportunity to comment on proposed rule changes; and</li> <li>Rules are adopted and will be effective.</li> </ul>		
<p><a href="#">SENATE BILL 29</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>General Residential Operations</li> <li>Child-Placing Agencies</li> <li>Agency Foster Homes</li> <li>Licensed Child-Care Centers</li> <li>School-Age Programs</li> <li>Before and After-School Programs</li> <li>Licensed Child-Care Homes</li> <li>Registered Child-Care Homes</li> <li>Listed Family Homes</li> </ul>	<p><b>Summary</b> Adds new Chapter 81B to the Health and Safety Code, which:</p> <ul style="list-style-type: none"> <li>Prohibits specific governmental entities from imposing mask, vaccine, and closure mandates for coronavirus preventative measures at a private business, public schools, open-enrollment charter schools, or private schools.</li> </ul> <p><b>Rule Changes and Technical Assistance</b> CCR will not need to make any rule changes because CCR rules on vaccinations simply refer to DSHS rules. However, if DSHS updates rules, CCR will update Technical Assistance boxes in the Minimum Standards publications.</p> <p>In addition, CCR will continue to defer to the local or state health authority regarding</p>	<p>If your operation is a governmental entity as defined in the new statute, you must follow the new law beginning 09/01/2023.</p> <p>If your operation is not a governmental entity, you do not need to take any action to comply.</p>	<p>09/01/2023, if your operation is a governmental entity.</p>

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<ul style="list-style-type: none"> <li>• Small Employer-Based Child Care</li> <li>• Temporary Shelter Child-Care Programs.</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p>how to manage communicable diseases in regulated operations.</p>		
<p><a href="#"><u>SENATE BILL 510</u></a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Listed Family Homes</li> <li>• Registered Child-Care Homes</li> <li>• Licensed Child-Care Homes</li> <li>• Licensed Child-Care Centers</li> <li>• Small Employer-Based Child Care</li> <li>• Temporary Shelter Care</li> <li>• General Residential Operations</li> <li>• Child-Placing Agencies</li> </ul>	<p><b>Summary</b></p> <p>Adds Government Code Section 552.11765, which makes certain personal information confidential and not available for public release for the following persons:</p> <ul style="list-style-type: none"> <li>• An applicant for a permit;</li> <li>• An applicant for an administrator’s license;</li> <li>• A person who currently holds or previously held a permit; and</li> <li>• A person who currently holds or previously held an administrator’s license.</li> </ul> <p>The following is the personal information for a governing body or administrator that will not be releasable, once the bill is implemented:</p>	<p>Beginning 09/01/2023, applicants and permitted operations must complete the updated <a href="#"><u>Form 2911, Child-Care Licensing Governing Body/Director Designation</u></a> when providing CCR with information about or updates to the governing body or director.</p> <p><i>The following operation types are not required to complete this form and, therefore, do not have to take any action to comply:</i></p> <ul style="list-style-type: none"> <li>• <i>Listed Family Homes;</i></li> <li>• <i>Registered Child-Care Homes;</i></li> <li>• <i>Small Employer-Based Child Care; and</i></li> <li>• <i>Temporary Shelter Care.</i></li> </ul>	<p>09/01/2023</p>

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<ul style="list-style-type: none"> <li>• Child-Care Administrators</li> <li>• Child-Placing Agency Administrators</li> </ul> <p><i>Effective 09/01/2023</i></p>	<ul style="list-style-type: none"> <li>• Home address (unless it is the same as the operation location address)</li> <li>• Home telephone number (unless it is the same phone number as the operation)</li> <li>• Electronic mail address (unless it is the same email address as the operation)</li> <li>• Social security number (except for the last four digits for employment verification/misconduct check)</li> <li>• Date of birth</li> <li>• Driver's license number</li> <li>• State identification number</li> <li>• Passport number</li> <li>• Emergency contact information</li> <li>• Payment information.</li> </ul> <p><b>Processing Requests for Information</b> Beginning 09/01/2023, any requests for information that is considered to be confidential will automatically be withheld from public release.</p> <p><b>Ensuring Confidential Information is Not on Documents an Operation is Required to Post</b></p>		

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	<p>CCR staff will take steps to ensure that permits, forms, or letters that CCR creates and the operation must post does not include confidential information.</p> <p><b>Form Changes</b> CCR updated <a href="#">Form 2911, Child-Care Licensing Governing Body/Director Designation</a> to add language advising the person completing the form to not provide a home address for the governing body.</p> <p><b>Rule Changes</b> CCR will propose relevant rule changes to 26 TAC Chapter 745 to list the confidentiality requirements. During the rule revision process, CCR will email you to notify you when:</p> <ul style="list-style-type: none"> <li>• You have the opportunity to comment on proposed rule changes; and</li> <li>• Rules are adopted and will be effective.</li> </ul> <p><b>Public Website Changes (Licensed Administrators only)</b> Contact information listed on the Licensed Administrator Directory on the Search Texas Child Care site no longer includes confidential information.</p>		

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<p><a href="#">SENATE BILL 1098</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Licensed Child-Care Centers</li> <li>• School-Age Programs</li> <li>• Before and After-School Programs</li> <li>• Licensed Child-Care Homes</li> <li>• Registered Child-Care Homes</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b> Adds Section 42.04271 to the Human Resources Code to:</p> <ul style="list-style-type: none"> <li>• Expand the rights of a parent or guardian with a child in certain child-care facilities;</li> <li>• Require these child-care facilities to provide a written copy of these rights to a parent or guardian by the child’s first day; and</li> <li>• Require these child-care facilities to notify a parent or guardian with a currently enrolled child of these rights by 09/30/2023.</li> </ul> <p><b>Rule Changes</b> CCR will propose relevant rule amendments in the following chapters in 26 Texas Administrative Code:</p> <ul style="list-style-type: none"> <li>• Chapter 744 (Minimum Standards for School-Age and Before or After-School Programs)</li> <li>• Chapter 746 (Minimum Standards for Licensed Child-Care Centers)</li> <li>• Chapter 747 (Minimum Standards for Registered and Licensed Child-Care Homes)</li> </ul>	<p>Beginning 09/01/2023, the child-care operations listed in the first column will need to:</p> <ul style="list-style-type: none"> <li>• Provide a written copy of these rights to a parent or guardian by the child’s first day; and</li> <li>• Notify a parent or guardian, with a currently enrolled child, of these rights by 09/30/2023.</li> </ul> <p><b>Technical Assistance</b> CCR has developed a <a href="#">Provider's Guide to Parent's Rights</a> that will assist providers in meeting the new requirements established by the bill. This document includes a list of the parent rights and best practices that operations may want to use in an effort to avoid actions that parents may perceive to be retaliatory.</p>	<p>09/01/2023</p>

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	<p>During the rule revision process, CCR will email you to notify you when:</p> <ul style="list-style-type: none"> <li>You have the opportunity to comment on proposed rule changes; and</li> <li>Rules are adopted and will be effective.</li> </ul>		
<p><a href="#">SENATE BILL 1242</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>Licensed Child-Care Centers</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b> Amends Section 42.0421 of the Human Resources Code to:</p> <ul style="list-style-type: none"> <li>Allow the director of a day-care center to train their employees if he or she was not the director when an administrative penalty was previously imposed.</li> </ul> <p><b>Rule Changes</b> CCR will propose relevant rule amendments to 26 TAC Chapter 746 (Minimum Standards for Licensed Child-Care Centers)</p> <p>During the rule revision process, CCR will email you to notify you when:</p> <ul style="list-style-type: none"> <li>You have the opportunity to comment on proposed rule changes; and</li> </ul>	<p>Beginning 09/01/2023, a director at a Licensed Child-Care Center where HHSC has issued an administrative penalty may train employees if the director was not the director when HHSC imposed the administrative penalty.</p>	<p>09/01/2023</p>



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	<ul style="list-style-type: none"> <li>Rules are adopted and will be effective.</li> </ul> <p><b>Future Updates to TA Document</b> In coordination with rule changes, CCR will update the TA document titled <i>Child-Care Regulation: Professional Development</i>.</p>		
<p><a href="#"><u>SENATE BILL 1327</u></a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>Licensed Child-Care Centers</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b> Adds Section 43.04201 and amends Section 42.0761 of the Human Resources Code to:</p> <ul style="list-style-type: none"> <li>Allow a day care center with an initial permit to employ an interim director for up to twelve months; and</li> <li>Clarifies that an owner does not commit an offense if they operate a day care center with an interim director who is routinely present during operating hours.</li> </ul> <p><b>Rule Changes</b> CCR will propose relevant rule amendments to 26 TAC Chapter 746 (Minimum Standards for Licensed Child-Care Centers)</p> <p>During the rule revision process, CCR will email you to notify you when:</p>	<p>Beginning 09/01/2023, if you have an initial license and want to designate an interim director that does not meet the educational requirements, request a waiver using your <a href="#"><u>online provider account</u></a>. Please contact your CCR inspector if you have questions on how to submit a waiver request.</p> <p>Once a waiver request is received, CCR will approve the request if:</p> <ul style="list-style-type: none"> <li>You have an initial license; and</li> <li>The person meets all requirements to act as a director except the educational requirements.</li> </ul> <p>The waiver will expire at the end of 12 months from the date it is approved or when CCR issues a full license, whichever occurs first.</p> <p>If the director will not meet the educational requirements after CCR issues the full license:</p> <ul style="list-style-type: none"> <li>You must request a waiver or variance before your initial license expires; and</li> </ul>	<p>09/01/2023</p>

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	<ul style="list-style-type: none"> <li>You have the opportunity to comment on proposed rule changes; and</li> <li>Rules are adopted and will be effective.</li> </ul>	<ul style="list-style-type: none"> <li>CCR will consider your waiver or variance request in accordance with rules in <a href="#">26 Texas Administrative Code Chapter 745, Subchapter J</a>.</li> </ul> <p><b>Technical Assistance</b> Center Director Qualification will be added to the <a href="#">TA Library</a> on 9/1/2023 to include information about designating an interim director.</p>	
<p><a href="#">SENATE BILL 1469</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>General Residential Operations</li> <li>Licensed Child-Care Centers</li> <li>School-Age Programs</li> <li>Before and After-School Programs</li> <li>Licensed Child-Care Homes</li> <li>Registered Child-Care Homes</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b> Adds Human Resource Code Section 42.0563 requiring applicants seeking employment in certain child-care operations to complete and submit to the operation a pre-employment affidavit for the purpose of disclosing any charge, adjudication or conviction related to having an inappropriate relationship with a minor. For any charges listed, the applicant must indicate whether it was determined to be true or false.</p> <p>When completing the affidavit, applicants must use a form developed by CCR.</p> <p>An applicant may be employed at the operation based on a disclosed charge if the operation determines that the charge was false.</p>	<p>Beginning 09/01/2023, the operation types listed in the first column must:</p> <ul style="list-style-type: none"> <li>Ensure applicants complete and submit to you the pre-employment affidavit using <i>Form 2912 Pre-Employment Affidavit for Applicants for Employment at Certain Child-Care Operations</i>; and</li> <li>Retain the form in the employee’s personnel file.</li> </ul> <p><a href="#">Form 2912</a> is available on the HHSC Public Website.</p> <p>The affidavit requirement applies only to individuals who are hired as employees on or after 09/01/2023.</p> <p>This new requirement is in addition to requirement that applicants must complete <a href="#">Form 2985</a>, Affidavit for Applicants for Employment with a Licensed Operation or</p>	<p>09/01/2023</p>

Bill Number and Operation Types	Bill Summary and Implementation Tasks	How to Comply	When to Comply
	<p>Operations may terminate an employee's employment if the operation determines that the employee failed to disclose information required by the affidavit.</p> <p><b>Rule Changes</b> CCR will propose relevant rule amendments to 26 TAC Chapters 744, 745, 746, 747, and 748.</p> <p>During the rule revision process, CCR will email you to notify you when:</p> <ul style="list-style-type: none"> <li>• You have the opportunity to comment on proposed rule changes; and</li> <li>• Rules are adopted and will be effective.</li> </ul>	<p>Registered Child-Care Home. Therefore, applicants for employment must now complete two affidavits.</p> <p><b>Technical Assistance</b> CCR has created a TA document, titled <i>Pre-Employment Affidavit for Applicants for Employment at Certain Child Care Operations - How Can I Determine if a Criminal Charge is False</i>, to aid providers in meeting new bill requirements. This document will be accessible in the <a href="#">TA library</a> on 9/1/23.</p>	

## Bill that May Impact Your Operation but Only CCR Must Take Action to Implement

*Please review the first column to confirm if the bill applies to your operation type*

Bill Number and Operation Types	Bill Summary
<p><a href="#">SENATE BILL 1849</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Listed Family Homes</li> <li>• Registered Child-Care Homes</li> <li>• Licensed Child-Care Homes Licensed Child-Care Centers</li> <li>• Small Employer Based Child Care</li> <li>• Temporary Shelter Care</li> <li>• General Residential Operations</li> <li>• Child-Placing Agencies</li> <li>• Agency Foster Homes</li> <li>• Adoptive Homes</li> <li>• Child-Care Administrators</li> <li>• Child-Placing Agency Administrators</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b></p> <p>Amends Title 9, Health and Safety Code, by adding Subtitle D, amends Section 253.010, Health and Safety Code and Section 42.159(c), Human Resources Code, to require the Department of Information Resources (DIR) to create a name-based Interagency Reportable Conduct Search Engine that will generate results from information pulled from HHSC, DFPS, TJJD, and TEA. The results will include names of individuals who have engaged in reportable conduct, which is a final determination that an individual engaged in abuse, neglect, exploitation, or misconduct. Each agency will develop rules to determine whether a person on the search engine is ineligible for employment, a volunteer position, a contract with the agency, or a permit with the agency. If an agency does not enter into a contract or issue a permit to an individual based on the individual’s inclusion in the search engine, the agency must notify the individual and may provide the individual with a hearing regarding an individual’s ineligibility. The bill also requires HHSC/CCR to use the search engine and information provided by TJJD under an MOU when conducting background checks.</p> <p>CCR will participate in DIR’s development of the search engine.</p> <p>The timeline for CCR to develop rules to begin including this as a type of background check to determine eligibility to be present at a child-care operation is to be determined.</p>

## Bills that May Impact Your Operation but do Not Impact CCR’s Regulation of Your Operation

*Please review the first column to confirm if the bill requirements apply to your operation type*

Bill Number and Operation Types	Bill Summary
<p><a href="#">HOUSE BILL 1615</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Licensed Child-Care Centers</li> <li>• School-Age Programs</li> <li>• Before and After-School Programs</li> <li>• Licensed Child-Care Homes</li> <li>• Registered Child-Care Homes</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b></p> <p>Amends Chapter 302 of the Labor Code to direct the Texas Workforce Commission to:</p> <ul style="list-style-type: none"> <li>• Increase the availability of Child-Care by establishing a prekindergarten partnership program; and</li> <li>• Advance the professional development of Child-Care workers through a scholarship program.</li> </ul>
<p><a href="#">HOUSE BILL 1905</a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• General Residential Operations</li> <li>• Licensed Child-Care Centers</li> <li>• School-Age Programs</li> <li>• Before and After-School Programs</li> <li>• Licensed Child-Care Homes</li> <li>• Registered Child-Care Homes</li> </ul> <p><i>Effective 09/01/2023</i></p>	<p><b>Summary</b></p> <p>Amends Chapter 37 of the Education Code to:</p> <ul style="list-style-type: none"> <li>• Allow school districts to provide school safety training courses at no cost to the employees of accredited private schools, certain child-care operations, and other organizations providing out of school time care to children.</li> </ul>

Bill Number and Operation Types	Bill Summary
<p><a href="#"><u>SENATE BILL 1145 &amp; SENATE JOINT RESOLUTION 64</u></a></p> <p>This law applies to:</p> <ul style="list-style-type: none"> <li>• Licensed Child-Care Centers</li> <li>• School-Age Programs</li> <li>• Before and After-School Programs</li> <li>• Licensed Child-Care Homes</li> <li>• Registered Child-Care Homes</li> </ul> <p><i>Effective 01/01/2024 if:</i></p> <ul style="list-style-type: none"> <li>• <i>The constitutional amendment in SJR 64 is approved by voters on the November 2023 ballot; AND</i></li> <li>• <i>A county or municipality adopts the exemption.</i></li> </ul>	<p>Amends Chapter 11 of the Tax Code to:</p> <ul style="list-style-type: none"> <li>• Allow a county or municipality to exempt a qualifying child-care facility from having to pay taxes on all or a portion of the appraised value of the property.</li> </ul> <p>Whether a county or municipality can implement the tax exemption outlined above relies on voters approving a constitutional amendment (see SJR 64, below).</p> <p>SJR 64 amends the Texas Constitution to allow a county or municipality to exempt a child-care facility from having to pay taxes on all or a portion of the appraised value of the property. This constitutional amendment will be included in the election ballot on November 7, 2023.</p>