



Legislative Update on Child Development

August 28, 2015
(Number 23)

End of Session

All active bills are being heard by the floors of each house and must pass both houses by the end of session on September 11 or they become two-year bills. The Governor will then have 30 days to sign or veto all legislation sent to him.

Amended Bills

Bills amended since the last *Update* are indicated by a * on either side of the bill and author, like * **SB 94 • Budget & Fiscal Review** *

New Legislation

AB 128 • Budget

Budget: Education Finance

This bill would extend the individualized county child care subsidy plan pilot program in the County of San Mateo indefinitely. Contains other provisions and technical changes to the budget.

Last amended: 8/25/15

Consultant: (916) 319-2099

Status: Senate Floor

SB 103 • Budget & Fiscal Review

Budget: Education Finance

This bill would extend the individualized county child care subsidy plan pilot program in the County of San Mateo indefinitely. Contains other provisions and technical changes to the budget.

Last amended: 8/25/15

Consultant: (916) 651-4103

Status: Assembly Floor

2015 Legislation

AB 47 • McCarty

Preschool Funding

This bill would require, beginning January 1, 2017 and contingent upon sufficient funding provided in the state budget, all children in families below 75% of the state median income not served by transitional kindergarten or Head Start to have access to the State Preschool program the year before they enter kindergarten.

Last amended: 7/2/15

Consultant: Bryan Singh (916) 319-2007

Status: Senate Floor

AB 74 • Calderon

Community Care Licensing: Visits

This bill would require, beginning July 1, 2018, licensed community care facilities (including child care centers and family child care homes, but not foster family homes) to receive an annual unannounced visit instead of a visit at least once every five years and more frequent visits under certain circumstances. It would delete the increase of random inspections by 10% if the number of citations in a year increases by 10%. The bill would require foster family homes to be subject to announced inspections, random unannounced inspections of 20% of homes, and unannounced inspections of facilities in response to a complaint, a plan of correction, or other circumstance of concern. It would require visits to 30% of licensed facilities not subject to annual inspections by July 1, 2016, and require visits to 40% of those licensed facilities by July 1, 2017.

Last amended: 6/25/15

Consultant: Kelsy Castillo (916) 319-2057

Status: Senate Floor

AB 271 • Obernolte

Alternative Payment: Electronic Records

This bill would allow Alternative Payment Programs to maintain records electronically even if the original records were not created electronically. It would require conversion of paper records to electronic records and storage of electronic records to comply with minimum standards for trustworthy electronic record preservation. The bill would require electronic records and signatures to meet state and federal standards.

Sponsor: California Alternative Payment Program Association (916) 567-6797

Last amended: 5/28/15

Consultant: Justin Hyer (916) 319-2033

Status: Senate Floor

AB 302 • Cristina Garcia

Parenting Pupils: Lactation

This bill would require schools with a lactating pupil to provide reasonable accommodation on campus including access to a private and secure room with a power source to express milk or breastfeed an infant, a place to safely store expressed milk, and permission to bring a breast pump on campus. It would prohibit students from incurring an academic penalty for using such accommodations.

Sponsors: California Latinas for Reproductive Justice (213) 270-5258, American Civil Liberties Union (916) 442-1036

Last amended: 7/14/15

Consultant: Ashley Medina (916) 319-2058

Status: Senate Floor

AB 427 • Weber

Child Care Programs: Military Eligibility

This bill would require the basic housing allowance provided to military families to be excluded from income when determining eligibility for subsidized child care and development programs.

Last amended: 5/6/15

Consultant: Joe Kocurek (916) 319-2079

Status: Two-year bill

AB 713 • Weber

Mandatory Kindergarten

This bill would, beginning with the 2017-18 school year, require children to complete a year of kindergarten before enrolling in first grade. It would include kindergarten as part of private elementary school, requiring the owner of any private school offering kindergarten to file an affidavit with the Superintendent of Public Instruction.

Last amended: 6/1/15

Consultant: Matthew Hamlett (916) 319-2079

Status: Two-year bill

AB 762 • Mullin

Toddler Component Expansion

This bill would allow toddler programs to serve children up to 3 years of age (instead of up to 30 months).

Last amended: 8/18/15

Consultant: Miriam Farouk (916) 319-2022

Status: Assembly Concurrence

AB 833 • Bonta

Alameda County Pilot Project

This bill would allow the County of Alameda to develop and implement an individualized county child care subsidy plan approved by the local planning council and the Alameda

County Board of Supervisors that may modify state requirements for eligibility, fees, and reimbursement rates. It would require the Early Education and Support Division to review and approve or disapprove the plan and any changes to the plan within 30 days. The bill would require the county to demonstrate an increase in the child days of enrollment at the end of the first year.

Sponsor: Alameda County Early Care and Education Planning Council (510) 208-9675

Last amended: 6/16/15

Consultant: Jacqueline Orpilla (916) 319-2018

Status: Senate Floor

AB 982 • Eggman

Child Development: Homeless Eligibility

This bill would allow a local educational agency liaison for homeless children, a Head Start program, or a transitional shelter to identify the need of homeless children for services.

Sponsor: National Association for the Education of Homeless Children and Youth (866) 862-2562

Last amended: 7/2/15

Consultant: Laura Ayala (916) 319-2013

Status: Assembly Concurrence

AB 1161 • Olsen

Privately Funded Preschool Tax Credit

This bill would, until January 1, 2020 establish a tax credit of 40% for contributions to the California Preschool Investment Fund that would provide additional funding for the State Preschool program in five participating counties. Contributions would first cover the cost of the tax credit before being available for State Preschool.

Last amended: 7/2/15

Consultant: Allison Wescott (916) 319-2012

Status: Two-year bill

AB 1207 • López

Child Care: Child Abuse Reporting

This bill would require the Department of Social Services to develop and disseminate information on the detection and reporting of child abuse to child care providers and provide statewide online instruction on child abuse for child care providers and, by January 1, 2017, require providers to complete the instruction prior to licensure or within 90 days of employment.

Sponsor: Child Care Law Center (415) 558-8005

Last amended: 6/10/15

Consultant: Kristi Lopez (916) 319-2039

Status: Senate Floor

AB 1387 • Chu

Child Care Licensing: Penalties

This bill would clarify the complaint process for residential care facilities for the elderly. It would require citations imposing higher penalties for death, physical abuse or serious bodily injury to be approved by the program administrator of the Community Care Licensing Division instead of the Director of the Department of Social Services. The bill would have a written request for formal review of serious citations directly to the deputy director of the Community Care Licensing Division and not to a regional manager or the program administrator. It would establish processes to appeal other civil penalties and formal reviews of a finding of deficiency. The bill would eliminate the use of funds from

licensing penalties for finding alternative care for children when a center or home license is suspended or revoked.

Last amended: 7/16/15

Consultant: Daphne Hunt (916) 319-2089

Status: *Senate Floor*

*** SB 94 • Budget & Fiscal Review *
Eligibility Priority Trailer**

This bill would require resource and referral agencies to publicize the state's special interest in enrolling children placed by child welfare agencies with a relative or foster parent, children served by child welfare agencies with open dependency or voluntary child protective cases, or dependents of parents with open dependency cases in licensed child care and development programs. It would establish priority enrollment for these children in child care and development programs and require their needs to be assessed by local child care and development planning councils. The bill would extend the individualized county child care subsidy plan pilot program in the County of San Mateo indefinitely.

Amended 8/24/15: This amendment would establish first priority enrollment for abused or neglected children or at-risk for abuse or neglect between the ages of 0-5. It would eliminate the extension of the San Mateo pilot program.

Consultant: Michelle Baass (916) 651-4103

Status: *Two-year bill*

**SB 110 • Fuller
Threats: Schools**

This bill would make it a misdemeanor or felony to make willful threats of unlawful violence against another person with the prospect of immediate execution at a state preschool or public or private school, including by an electronic act, that creates a disruption at school.

Sponsor: Bakersfield Police Department (661) 327-7111

Last amended: 8/17/15

Consultant: Maddie Dunlap (916) 651-4016

Status: *GOVERNOR'S DESK*

**SB 114 • Liu
Education Facilities Bond**

This bill would, if approved by the voters at the November 8, 2016 election, enact the Kindergarten-University Public Education Facilities Bond Act of 2016 to authorize an unspecified amount of bonds to be sold to construct and modernize educational facilities in school districts. Urgency measure.

Last amended: 6/3/15

Consultant: Joyce Roys-Aguilera (916) 651-4025

Status: *Two-year bill*

**SB 311 • Beall
Alum Rock Pilot Project**

This bill would allow the Alum Rock Union Elementary School District to develop and implement an individualized eligibility part-day preschool pilot program with current state preschool programs with a memorandum of understanding with the school district until June 30, 2021 to provide preschool programs to foster children and children eligible for free or reduced-price meals up to the age for admission to first grade. No additional funds would be provided to implement the pilot program.

Sponsors: Kidango (510) 897-6924, Alum Rock Union Elementary School District (408) 928-6800, Santa Clara County Office of Education (916) 557-9745, First 5 Santa Clara (408) 260-3700

Last amended: 7/6/15

Consultant: Anna Alvarado (916) 651-4015

Status: *Two-year bill*

**SB 456 • Block
Threats: Discharge of Firearm at School**

This bill would make it a misdemeanor or

felony to make willful threats of discharging a firearm with the prospect of immediate execution at a state preschool or public or private school during a time that school or a school-sponsored event is taking place.

Last amended: 7/16/15

Consultant: Kevin Powers (916) 651-4039

Status: *GOVERNOR'S DESK*

**SB 548 • de León
Family Child Care: Representation**

This bill would allow family child care providers to form, join, and participate in provider organizations and would allow them to elect a provider organization as the exclusive representative for family child care providers. It would establish the scope of representation and require state agencies to bargain in good faith with the representative. The bill would allow agreements to be codified in memoranda of understanding that would be binding on state agencies. It would allow the provider organization to collect dues as deductions from subsidy payments. The bill would require a report of best practices in engaging families in family child care settings by January 1, 2017. It would establish a Partnership on Child Care Training, Education, and Quality Improvement made up of representatives of the state and the provider organization to identify gaps in training and improve quality in family child care homes. The bill would require the joint committee to make recommendations annually and to address barriers for training and access to higher education for family child care providers.

Sponsor: SEIU State Council (916) 442-3838

Last amended: 8/17/15

Consultant: Jennifer Troia (916) 651-4170

Status: *Assembly Floor*

**SB 579 • Jackson
Sick Leave: Child Care/School Emergency**

This bill would allow an employee, as part of the time allowed to participate in school activities, to find, enroll, or reenroll a child in school or day care or to address a child care or school emergency. It would require an employer to allow an employee to use sick leave to attend to preventative care of a child, parent, spouse, or domestic partner and would prohibit discriminatory action against the employee for using or attempting to use sick leave for these purposes.

Sponsor: Child Care Law Center (415) 558-8005, Legal Aid Society – Employment Law Center (415) 864-8848

Last amended: 7/16/15

Consultant: Chris Reeve (916) 651-4019

Status: *Assembly Floor*

**SB 645 • Hancock
After School Programs: Increased Funding**

This bill would allow an after school program to suspend the program for up to five days and prohibit an adjustment to the grant due to the five-day suspension. It would authorize programs to determine which grades to serve based on local needs. The bill would express the intent that students attend the after school program for the full day for each day that they attend.

Sponsor: California After School Coalition (916) 601-4370

Last amended: 8/17/15

Consultant: Renee Estoista (916) 651-4009

Status: *Two-year bill*

**SB 670 • Jackson
Employer Child Care Credits**

This bill would establish, between January 1, 2016 and January 1, 2021, a tax credit (up to \$50,000) of 30% of start-up expenses for child care programs, constructing a child care facility, or providing child care information and referral services. The bill would estab-

lish, between January 1, 2016 and January 1, 2021, a tax credit (up to \$360 per dependent) of 30% for contributions to a qualified care plan for employees' dependents. The bill would allow the credits to be carried forward for up to seven years.

Sponsor: Bay Area Council (916) 706-1205

Last amended: 8/20/15

Consultant: Chris Reeve (916) 651-4019

Status: *Two-year bill*

**SB 792 • Mendoza
Child Care Programs: Staff Immunizations**

This bill would require employees of child care centers and family child care homes, beginning September 1, 2016, to be immunized against measles, pertussis, and influenza. It would allow employees to refuse the vaccination for influenza. The bill would require employees of child care centers (in addition to family child care homes) to show evidence of being clear of tuberculosis.

Sponsor: Health Officers Association of California (916) 441-7405

Last amended: 8/19/15

Consultant: Dorian Almaraz (916) 651-4032

Status: *Assembly Floor*

Budget Bills

**AB 93 • Weber • 2015-16 Budget • Chapter 10
SB 97 • Budget and Fiscal Review • 2015-16
Budget • Chapter 11**

New Laws

*SB 79 • Budget & Fiscal Review • Human Services
Budget Trailer • Chapter 20*

*SB 277 • Pan • Vaccinations: Personal Belief
Exemption • Chapter 35*

Inactive Bills

*AB 106 • Budget • Human Services Budget Trailer
• Dropped*

*AB 188 • Cristina Garcia • Alternative Payment:
Eligibility • Two-year bill*

*AB 233 • López • Child Care Annual Eligibility •
Two-year bill*

*AB 282 • Eggman • Corded Window Coverings
• Two-year bill*

*AB 492 • Gonzalez • CalWORKs: Diapers for Child
Care • Two-year bill*

*AB 589 • López • Online Child Care Job Posting
Two-year bill*

*AB 598 • Rendon • Family Child Care Education
Networks • Two-year bill*

*AB 648 • Low • Virtual Dental Home • Child care
provisions deleted*

*AB 743 • Eggman • CalWORKs Education and
Training • Child care provisions deleted*

*AB 765 • Ridley-Thomas • Standard Reimburse-
ment Rate • Two-year bill*

*AB 891 • Campos • After School Programs Priority
• After school provisions deleted*

*AB 1114 • Bonilla • Kindergarten Evaluation •
Provisions deleted*

*AB 1133 • Achadjian • Mental Health Intervention
and Prevention • Two-year bill*

*AB 1314 • Thurmond • Early Care and Education
Programs • Spot bill*

*AB 1467 • Bloom • Community Care Facilities:
Penalties • Two-year bill*

*SB 212 • Mendoza • Drug Trafficking Near Pre-
schools • Child care provisions deleted*

*SB 268 • Nguyen • State Dependent Care Tax
Credit • Two-year bill*

*SB 401 • Nguyen • Child Care Centers: Office
Buildings • Two-year bill*

*SB 472 • Cannella • State Dependent Care Tax
Credit • Spot bill*

*SB 567 • Liu • Child Care: Continuity of Services
• Two-year bill*

*SB 749 • Morrell • Trustline Registry • Provisions
deleted*