



**EARLY CARE & EDUCATION
2019 STATE LEGISLATIVE ACTION REPORT**

The National Conference of State Legislatures’ Early Care and Education team tracks introduced and enacted legislation related to child care, prekindergarten, home visiting, parent engagement and support, governance structures and financing of programs. In 2019, state lawmakers introduced approximately **806 bills** with approximately **95 bills** in **32 states** signed into law.

This report summarizes significant 2019 legislative enactments in the following categories:

- [Child care \(subsidy, quality and access\)](#)
- [Early childhood financing](#)
- [Early childhood governance](#)
- [Home visiting and parent education](#)
- [Prekindergarten and school readiness](#)
- [Prenatal, infants and toddlers](#)
- [Early care and education workforce](#)

This report does not include all appropriations bills; however, it does highlight those that contain substantive policy enactments or focus on a specific program model.

ENACTED LEGISLATION BY CATEGORY

Child Care (subsidy, quality and access)

In 2019, NCSL tracked 44 bills related to child care from 24 states. The bulk of child care-related legislation addressed safety requirements. Other common issues addressed include changes to licensure requirements and supports for potential child care providers navigating the licensure process, and measures to address child care shortages.

State	Legislation
Alabama	HB 403 / SB 277: Prohibits an adult working in a child care facility from having a conviction of certain violent offenses, crimes or offenses committed in other states or under federal law.
Arkansas	HB 1225: Requires the Division of Child Care and Early Childhood Education to create a graphical chart that explains the licensing of a licensed home or child care center and is readily available on the Department of Human Services website. The chart must include procedures, registration requirements and availability of funds, grants, programs, tax credits, and other financial assistance.
California	AB 378: Requires the superintendent of public instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age, including family child care home education networks. Authorizes family child care providers to form, join and participate in

	<p>the activities of provider organizations of their own choosing. Requires that certified provider organizations be involved in Department of Human Resources communications with family child care providers. Regulates the department’s use of lists containing information about small family child care homes to encourage the recruitment of such homes and protect their personal privacy.</p> <p>SB 75: Amends eligibility requirements for the state preschool program and requires a plan to provide comprehensive and affordable child care and universal preschool. Establishes and appropriates funds to grant programs to child care and early education providers to build new facilities, retrofit, renovate, or expand existing facilities, expand the number of qualified early learning and care professionals and increase education credentials for existing professionals, and local education agencies to support special education and early intervention services for 3- and 4-year-olds. Establishes the Early Childhood Policy Council to advise the governor and legislature on statewide early learning and care policy.</p> <p>SB 234: Requires a family child care home to be treated as a residential use of property for purposes of all local ordinances; prohibits local jurisdictions from imposing a business license, fee or tax on family child care homes. Makes void any attempt to deny, restrict, or encumber the conveyance, leasing, or mortgaging of property for use or occupancy as a family child care home. Prohibits a property owner or manager from refusing to sell or rent, or otherwise make unavailable, a property to a person because the person is a family child care provider; and requires notification to applicants for family child care home licenses of housing discrimination remedies.</p>
Colorado	<p>SB 63: Requires creation of a strategic action plan to address the decline of family child care homes and available infant child care throughout the state. Requires the strategic action plan to include the anticipated costs of implementing the recommendations made in the plan.</p> <p>SB 177: Requires a fingerprint-based criminal history record check for child care employees under 18 years of age, out-of-state employees working temporarily at a child care center, and owners, employees, volunteers and adults residing in a family child care home.</p> <p>SB 229: Authorizes the expenditure of campaign contributions received and accepted by a candidate’s committee to reimburse the candidate for expenses for the care of children or other dependents the candidate incurs directly in connection with the candidate’s campaign activities during the election cycle.</p>
Connecticut	<p>SB 936: Requires comprehensive background checks for child care providers and staff every five years.</p>
Hawaii	<p>SB 1232: Authorizes the disclosure of confirmed reports of child abuse or neglect to any parent or guardian of a child enrolled in an exempt or excluded child care facility.</p>
Illinois	<p>SB 1321: Requires promotion of the availability of the Child Care Assistance Program to all families with children under age 13, families eligible for child care assistance and child care providers.</p>

Kentucky	<p>HB 158: Requires that staff members of a child care facility submit to national and state fingerprint-based criminal background checks.</p> <p>SB 246: Removes child care assistance to new employees as a consideration factor for projects supported by the state economic development fund.</p>
Louisiana	<p>HB 550: Requires that the identity of a person making a complaint related to an early learning center or fraud pertaining to the Child Care Assistance Program be held confidential and not be public record.</p>
Maine	<p>HB 689: Requires a study group to determine the effects of the system of background checks on child care providers.</p>

Missouri	<p>HB 397: Establishes penalties for the unlicensed operation of a child care facility; increases the number of children that can be cared for in home-based settings; and specifies the criteria for denial of child care licensure. Establishes the “Family Child Care Provider Fund” to support dissemination of information concerning compliance with child care facility laws and regulations, as well as training and need-based financial assistance to meet licensure requirements for family child care providers.</p>
Nevada	<p>AB 234: Requires inclusion of measures to increase the availability of child care for children with disabilities in the state plan. Requires reimbursement for a portion of child care costs provided to the child of a parent who is enrolled in postsecondary education.</p>
New Hampshire	<p>SB 246: Requires all individuals associated with residential child care agencies be subject to a criminal background check. Establishes the child care licensing fund.</p>
New York	<p>SB 3420: Requires that parents and caretakers be able to use child care assistance to enable them to sleep due to non-traditional work hours.</p> <p>SB 3788: Prohibits the sale of crib bumper pads and restricts the use of such pad in child care facilities.</p>
North Carolina	<p>HB 886: Requires a statewide study of the challenges that child care facility operators face in participating in the state’s prekindergarten program.</p>
North Dakota	<p>HB 1288: Requires the State Fire Marshal to inform the Department of Human Services on fire safety requirements of licensed early childhood program premises including smoke detector and carbon monoxide alarm requirements.</p> <p>SB 2043: Authorizes the suspension of an early childhood program’s license if child abuse or neglect is reported. Requires the notification of the program and the parent of any child receiving services if the program providing care is the subject of a child abuse and neglect assessment and the State Department of Human Services finds other children to be at risk.</p> <p>SB 2245: Requires the Department of Human Services to consider issuing a provisional or restricted license before revoking an early childhood program’s license and authorizes the department to require the program to provide a compliance plan to address compliance issues. Expands the definition of “neglected child.”</p>

<p>Oklahoma</p>	<p>HB 2212: Requires advance notice of at least one week to child care providers by inspectors reviewing child care facilities for the quality rating improvement system.</p>
<p>Oregon</p>	<p>HB 2027: Authorizes the Office of Child Care to consider any information obtained when reviewing enrollment of an individual in the Central Background Registry and requires a criminal records request to include records in the national sex offender registry. Permits the Office of Child Care to impose an emergency condition without hearing upon finding of serious danger to health and safety of children receiving care and authorizes the Office of Child Care to take evidence, depositions, compel appearances of witnesses, issue subpoenas and inspect premises when conducting investigations.</p> <p>SB 813: Requires the Office of Child Care to make a reasonable attempt to identify any child care facility, person or place providing child care about which the office receives a complaint if the complaint includes certain information.</p> <p>SB 917: Prohibits child care facilities from interfering with the disclosure of information to regulatory agencies by prospective employees, employees, or volunteers about treatment of individuals under a facility's care.</p>
<p>South Carolina</p>	<p>SB 595: Prohibits child care providers from employing someone who is required to register as a sex offender or with the Central Registry of Child Abuse and Neglect or has been convicted of certain crimes. Stipulates that prospective child care employees are subject to background checks. Requires persons applying for a license or registration as an operator of a church or religious child care center undergo a state fingerprint-based criminal background check.</p>
<p>Texas</p>	<p>HB 4260: Authorizes a child care facility to adopt a policy regarding the maintenance, administration and disposal of epinephrine auto-injectors.</p> <p>SB 568: Establishes additional safety standards and sleep practices for child care providers; requires child care providers to have inspection data available to current and potential consumers; creates additional rules related to license and registration renewals; recommends financial penalty for abuse, neglect or exploitation of a child; and requires parental notification of each violation of abuse, neglect or exploitation within the facility or in-home provider to any child in care.</p> <p>SB 569: Differentiates listed in-home child care providers from registered or licensed in-home providers; requires adoption of minimum standards for listed in-home child care providers; requires investigation of listed in-home child care providers when a complaint is filed with the Health and Human Services Commission. Requires listed in-home child care providers maintain liability insurance coverage and complete safe sleep training.</p> <p>SB 706: Requires the maintenance of a unit within the Child Care Licensing Division dedicated to identifying child care facilities that are operating without a required license, certification, registration or listing and initiate appropriate enforcement actions against those facilities.</p>

	<p>SB 708: Requires the Health and Human Services Commission to collect and publish certain data on licensed child care centers related to the health, safety and welfare of a child on its website; requires the Commission to report the collected information to the legislature.</p>
Utah	<p>HB 117: Authorizes the governor to appoint a pediatric health care professional to the child care center licensing committee under certain conditions.</p> <p>HB 129: Authorizes a candidate for public office to use campaign funds to pay child care expenses while the candidate is engaging in campaign activity and authorizes an officeholder to use campaign funds to pay child care expenses while the officeholder is engaging in officeholder activities.</p> <p>HB 159: Requires rules to establish eligibility requirements for child care providers receiving grants or subsidies for providing care for an income-eligible child age 12 or younger or an income-eligible child with disabilities age 18 or younger. Requires eligibility rules to qualify for an award from the High Quality School Readiness Grant Program.</p>
Vermont	<p>SB 40: Requires schools and child care facilities to test drinking water outlets for lead contamination and implement a lead remediation plan if samples indicate certain levels. Requires the Commissioner of Health to publish a list of all child care facilities at which drinking water tested at or above the action level within the previous two years of reported samples; allocates funds for the replacement of drinking water fixtures for child care facilities.</p>
Virginia	<p>HB 1871: Allows a participant no longer eligible for Temporary Assistance for Needy Families funds to receive assistance with child care if such assistance enables the individual to work or attend postsecondary schooling.</p> <p>SB 1145: Allows participants in the Virginia Initiative for Employment Not Welfare program to receive child care assistance for up to 12 months after termination if enrolled in certain higher education or credentialing programs.</p> <p>SB 1407: Requires all staff members and volunteers of a child care facility receiving federal funds to submit to national and state fingerprint-based criminal background checks. Prohibits hiring of potential employees or volunteers who have been convicted of certain crimes.</p>
Washington	<p>HB 1344: Creates a child care access work group; requires the work group to develop a mechanism to measure the cost of child care quality regionally to inform subsidy rates; requires the work group study how area median income could replace federal poverty level to determine child care subsidy eligibility. Requires the work group to evaluate compensation recommendations to achieve pay parity between early childhood educators and K-12 teachers by 2025 and develop an implementation plan.</p> <p>HB 1391: Raises base subsidy rates for licensed child care centers and in-home child care providers to the 75th percentile of market rates. Provides adequate funding to increase need-based grants, scholarships and professional development assistance; reduces ratios of coaches to child care providers. Supports the work of</p>

	<p>the Department of Children, Youth, and Families' professional equivalencies committee and the development of the proficiency review process.</p> <p>SB 5437: Expands eligibility to the early childhood education and assistance program. Increases early learning access for children within a certain age range with developmental delays or disabilities and other qualifying criteria. Requires a plan for the implementation of a birth to age 3 early childhood education and assistance program pilot.</p>
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Early Childhood Financing

Though this report does not include appropriations bills, it does highlight legislation in seven states that addressed funding policies or grant funds for specific early childhood programs.

State	Legislation
California	AB 114: Specifies funding to grant programs to support child care and early education and professional development of early care and education professionals; specifies term limits for members of Early Childhood Policy Council.
Colorado	HB 1013: Authorizes the extension of the income tax credit for child care expenses paid by an individual with a federal adjusted gross income of \$25,000 or less.
Louisiana	HB 395: Requires, subject to legislative appropriation, monies in the early childhood education fund be used to expand the number of slots for eligible families as determined by local entities. Authorizes the use of remaining unallocated funds to be used by early learning centers.
Indiana	HB 1628: Authorizes grants to certain eligible children in the state's prekindergarten pilot program on a first-come, first-served basis.
Nevada	SB 84: Establishes a grant program to support prekindergarten programs that meet certain requirements; requires the adoption of regulations for the grant program and a report on the effectiveness of grant-supported prekindergarten programs.
Virginia	SB 1015: Sets forth requirements for nonpublic prekindergarten programs and the use of tax-credit-derived funds for nonpublic prekindergarten program scholarships.
Washington	SB 5851: Authorizes counties to use distributions from the Puget Sound taxpayer accountability account to start endowments to support early learning.

Early Childhood Governance

Lawmakers in at least seven states passed legislation to establish or extend task forces, commissions, committees or studies to address specific early childhood issues.

State	Legislation
Delaware	SB 187: Requires the Department of Education to ensure that state quality rating and improvement standards are consistent with federal regulations. Transfers the Office of Child Care Licensing to the Department of Education.
Hawaii	SB 78: Grants administrative authority over all state-funded prekindergarten programs and private partnership-funded prekindergarten programs in public

	schools, excluding special education and Title-I funded prekindergarten programs, to the Executive Office on Early Learning. Requires the State Department of Education in its implementation of Title-I funded prekindergarten classrooms to adhere to certain quality standards and work with the Executive Office on Early Learning.
Maine	SB 602: Eliminates the Maine Children’s Growth Council and the Child Care Advisory Council. Establishes the Maine Children’s Cabinet Early Childhood Advisory Council to develop and evaluate a plan for the healthy development of the state’s youth and families.
Nevada	AB 194: Requires that the membership of the Early Childhood Advisory Council include a representative of the pediatric mental, physical or behavioral health care industry and that the Council submit a report to the legislature that includes recommendations for improvements to the state’s early childhood system.
New Mexico	<p>HB 589: Sets forth the community school framework requirements to ensure the use of research- and evidence-based strategies and best practices that support expanded and enriched learning time and opportunities for family and community engagement. Allows community school frameworks to include broader use of public school facilities, community-based curricula, public prekindergarten and other state and federally funded early childhood services.</p> <p>SB 22: Establishes the Early Childhood Education and Care Department and transfers early childhood related functions of other state agencies to the department; expands early prekindergarten and program eligibility.</p>
Oregon	<p>HB 2262: Expands the duties of the Early Learning Council to include ensuring that families are healthy, stable and attached. Provides that at least one member of the Council represents the tribes of the state and one member represents the early care and education workforce.</p> <p>HB 2346: Establishes a task force to study existing child care subsidy programs in the state, the supply and demand for child care and barriers to accessing child care subsidies.</p> <p>HB 3394: Removes requirement that a resource and referral entity must match up to 10% of the public funds it receives and allows the Early Learning Council to set new funding match requirements.</p>
Utah	HB 47: Establishes the Early Childhood Utah Advisory Council and the Governor’s Early Childhood Commission to support parents and families. Requires the advisory council to produce a report for the governor’s commission outlining the quality and availability of early childhood education, health and development programs and services for children in early childhood.

Home Visiting and Parent Education

In 2019, four states passed home visiting legislation to expand or make home visiting services more accessible.

State	Legislation
Nevada	AB 430: Requires the legislative committee on child welfare and juvenile justice to conduct an interim study related to home visitation services in the state. Requires a report with findings and recommendations.
New Hampshire	SB 274: Requires the newborn home visiting program to be made available to all Medicaid-eligible children and pregnant women without restriction.
New York	AB 6569: Requires the State Council on Children and Families to develop and make available on its website an internet mapping resource of all home visiting programs that meet certain criteria. Requires that home visiting programs and associated entities provide the information necessary to create such a resource.
Oregon	SB 526: Directs the Oregon Health Authority to design, implement and maintain a voluntary statewide program to provide universal newborn nurse home visiting services to all families within the state to support healthy child development and strengthen families.

Prekindergarten and School Readiness

NCSL tracked prekindergarten and school readiness legislation in eight states in 2019. Much of the legislation expanded eligibility or access to state-funded prekindergarten programs; the remaining bills implemented measures to improve program quality.

State	Legislation
Colorado	HB 1194: Prohibits the suspension and expulsion of students in preschool through second grade except in certain instances; requires that the state board of education annually review data on suspensions and expulsions.
Maryland	SB 1030: Establishes Maryland's Blueprint for the Future to provide high-quality full-day prekindergarten programs for 3- and 4-year-olds through a mixed delivery system. Provides prekindergarten supplemental grants to local education agencies based on every 4-year-old in full-day prekindergarten and grants to county boards to improve teacher salaries. Allocates funding for supplemental instruction for struggling learners.
New York	SB 5629: Authorizes the board of cooperative educational services to have the power and duty to enter into contracts with certain preschool special education providers to process services relating to online application systems for educators.
Oregon	HB 2025: Establishes the Preschool Promise Program to expand preschool options available in the state, establish minimum salary requirements for teaching assistants at participating preschool providers, and administer a scholarship and grant programs for early care and education professionals. Requires adoption of a funding formula and methodology that will ensure the provision of high-quality services.
Tennessee	SB 442: Requires local education agencies approved to offer state-funded prekindergarten programs to use an alternative academic growth indicator

	approved by the state board in the evaluation of prekindergarten and kindergarten teachers.
Texas	SB 1679: Allows an eligible child enrolled in prekindergarten at the age of 3 to remain eligible for enrollment in prekindergarten the following school year.
Utah	SB 166: Establishes a school readiness board and sets forth the components of a high-quality school readiness program. Makes changes to grant programs that assist existing preschools or home-based educational technology programs in and expands access to high-quality school readiness programs. Requires the use of unique student identifiers for each school enrolled in a preschool program.
Washington	SB 5089: Allows a noneligible child to enroll in the early childhood education and assistance program if the child turns 3 at any time during the school year and if certain criteria are met.

Prenatal, Infants and Toddlers

In 2019, nine states passed bills specifically to support pregnant and new mothers, infants and toddlers. The majority of states addressed access to pre- and postnatal care for new mothers and screenings for young children.

For additional legislation related to maternal and child health, please see NCSL’s [Maternal and Child Health database](#).

State	Legislation
California	AB 1004: Requires that Medi-Cal plans include developmental screening services for children up to age 3 that comply with guidelines established by American Academy of Pediatrics.
Colorado	HB 1193: Encourages health care practitioners and county departments of human or social services to identify pregnant or postpartum women for the purpose of providing state-funded substance use disorder treatment services. Creates a high-risk families cash fund to be used for high-risk parents with substance use disorders and children and youth with behavioral health disorders.
Illinois	HB 2: Amends the Medical Patient Rights Act to include certain pregnancy and childbirth-related rights for every woman. Requires the State Departments of Public Health, Health Care and Family Services, Children and Family Services, and Human Services to post information about these rights on their public websites. Requires that every health care provider, licensed child care center, Head Start and community center post information about these rights in a prominent place and on their websites. HB 5: Requires access to substance use and mental health services statewide for pregnant and postpartum women; requires programs are gender responsive, trauma informed, serve women and young children and prioritize justice-involved pregnant and postpartum women. Requires health care facilities be capable of transferring women to higher levels of care, while tracking and analyzing information related to their care, maternal morbidity and mortality.
Indiana	HB 1007: Requires creation of a perinatal navigator program to engage pregnant women in early prenatal care and provide referrals for wrap-around services

	including home visiting and services related to substance use disorders. Requires establishment of guidelines for treating substance use disorder in pregnancy.
Maine	SB 524: Requires a report to determine the state’s capacity to respond to responsibilities under the Individuals with Disabilities Education Act and to provide early and periodic screening, diagnostic and treatment services to children from birth to age 8, the gaps in services and the costs of addressing those gaps.
Maryland	HB 127: Requires that all small employer health benefit plans, or carriers participating in the Individual Exchange, provide a 90-day special enrollment period during which an eligible employee who becomes pregnant and an eligible employee’s spouse or dependent who becomes pregnant may be enrolled under the plan. Requires that the health benefit plan become effective on the first day of the month in which the individual receives confirmation of the pregnancy. HB 520 / SB 406: Increases funding to the Maryland Prenatal and Infant Care Coordination Services Grant Program Fund; establishes a maternal and child health task force.
New Jersey	AB 5021: Expands the medical assistance program to include prenatal services; requires application of waivers necessary to implement changes and to secure federal funds. SB 3406: Requires all licensed health care professionals to complete and submit the perinatal risk assessment form for each pregnant Medicaid recipient and other eligible recipients of care. Sets forth provisions related to data collection, reimbursement and data analysis.
Texas	HB 2255: Sets forth requirements related to informing parents of children who do not pass their hearing screenings of early childhood intervention services and the primary statewide resource center for their child, in addition to educational and informational materials. Requires creation of reporting confidentiality guidelines.
Washington	SB 5903: Requires the delivery of infant and early childhood mental health consultation services to child care providers through the state’s quality rating and improvement system.

Early Care and Education Workforce

Seven states passed legislation addressing early childhood workforce issues such as educator training requirements, qualifications, licensing and teacher shortages.

State	Legislation
Colorado	HB 1005: Provides an income tax credit to eligible early childhood educators who hold certain credentials and are employed in qualifying early care and education programs.
Connecticut	SB 932: Delays implementation of new staff qualification requirements for early childhood educators. Stipulates that such requirements are only for classrooms receiving state funds. SB 935: Requires the proposal of an early childhood educator compensation schedule to the General Assembly.

Florida	HB 1027: Requires the Office of Early Learning to develop training and course standards and career pathways with stackable credentials and certifications for early learning professionals.
Illinois	<p>HB 35: Adds qualifying early childhood programs to the list of eligible schools that can benefit from grant funding through the Grow Your Own Teacher Education Act.</p> <p>HB 416: Urges the General Assembly to address the early childhood education workforce crisis by modernizing funding and teacher qualification standards; urges the governor to include early childhood educators on several relevant advisory councils.</p> <p>SB 1952: Allows teachers seeking an early childhood education endorsement under the professional educator license to satisfy the student teaching requirement in a setting with children from birth through second grade; allows teachers to be paid and receive credit while student teaching.</p>
Nebraska	LB 590: Requires the use of the state’s early childhood professional record system for documentation and verification of staff training.
New Mexico	HB 275: Prioritizes teachers who are endorsed and teach early childhood education in public schools for loan repayment under the teacher loan repayment program.
Texas	HB 680: Requires local workforce development boards to ensure federal Child Care Development Fund (CCDF) expenditures used for professional development for child care providers can be put towards a credential, certification or degree and meet standards set by the state quality rating improvement system. Authorizes local workforce development boards to contract with child care providers that meet certain criteria to provide subsidized child care and requires the boards to report on the contracts to Texas Workforce Commission. Adds requirements to the annual evaluation of the distribution of CCDF dollars conducted by the Texas Workforce Commission.

This report was prepared using StateNet, a legislative tracking database, to perform bill searches and analysis. Summaries provided in this document and in the 50-state, online [searchable database](#) are provided by StateNet and updated and revised by NCSL. This report is intended to provide an overview of significant enacted legislation in each state. It does not represent a comprehensive list of enacted bills and does not include all early care and education legislative enactments.

This document does not contain bills with technical changes or all state budget appropriations bills. *Please note that the total number of enacted bills does not add up to what is listed here due to bills that address multiple topics and bills that are not included here.*



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