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THIRD READING

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Bill No: AB 2131  
Author: Mullin (D)  
Amended: 8/11/22 in Senate  
Vote: 21

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SENATE HUMAN SERVICES COMMITTEE: 5-0, 6/13/22

AYES: Hurtado, Jones, Cortese, Kamlager, Pan

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/11/22

AYES: Portantino, Bates, Bradford, Jones, Laird, McGuire, Wieckowski

ASSEMBLY FLOOR: 75-0, 5/26/22 - See last page for vote

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**SUBJECT:** Child daycare facilities

**SOURCE:** Child Care Resource Center  
Child Start, Inc.  
Head Start California  
Los Angeles County Office of Education

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**DIGEST:** This bill removes the authorization for the California Department of Social Services (CDSS) to adopt emergency regulations in order to implement the creation of a single child care center license serving infant, toddler, preschool, and school age children, and instead authorizes CDSS to, in consultation with the State Department of Education (CDE), implement the creation of the single child care center license through all-county letters or similar written instructions until regulations are adopted.

**ANALYSIS:**

Existing law:

- 1) Expresses the intent of the Legislature to create a child care license that has individual program components that serve infant, toddler, preschool, and school-age children. (*HSC 1596.951(a)*)

- 2) Requires CDSS, in consultation with stakeholders, to adopt regulations on or before January 1, 2021, to create a child care center license to serve infant, toddler, preschool, and school-age children with all respective health and safety requirements. Requires all day care centers to be licensed accordingly by January 1, 2024. (*HSC 1596.951(b)*)
- 3) Allows CDSS to adopt emergency regulations in order to implement the single child care center license serving infants, toddlers, preschool, and school-age children. (*HSC 1596.951*)

This bill:

- 1) Removes the authorization for CDSS to adopt emergency regulations in order to implement the creation of a single child care center license serving infant, toddler, preschool, and school age children. Replaces this with an authorization for CDSS to implement the creation of the license through all-county letters or similar written instructions until regulations are adopted.
- 2) Requires CDSS, in the development of a single child care center license serving infant, toddler, preschool, and school-age children, to consult with CDE in considering best practices for continuity of care of the preschool age children and parents being served.
- 3) Creates a sunset date of January 1, 2024 for provisions directing CDSS to develop guidelines and procedures to permit licensed daycare centers serving preschool age children or licensed daycare centers serving infants to create a special optional program component for children between 18 months to three years of age.
- 4) Makes other technical and clarifying changes.

### **Background**

*Single infant to school-age child care license:* AB 605 (Mullin, Chapter 574, Statutes 2018) directed CDSS, in consultation with stakeholders, to adopt regulations on or before January 1, 2021 to combine the infant, preschool, and school age licenses and to create a new single infant to school-age license option. AB 605 required those regulations to include components for serving infant, toddler, preschool, and school-age children; health and safety standards for children in care; and the enhanced ability to transition children from one age group to the next. The creation of the single child care license built upon the existing toddler option, under which infant and preschool providers are authorized to serve toddlers 18 months to three years of age as an extension of their infant or school-

age licenses. At the time AB 605 was being considered by the Legislature, CDSS indicated that they would eventually phase out the current license categories and transition holders of those licenses into the new integrated license. This bill achieves that phase-out by repealing the provisions authorizing the optional toddler program for infant and preschool providers on January 1, 2024.

AB 605 permitted CDSS to implement the creation of the single infant to school age child care license through emergency regulations. This bill removes that authorization to develop emergency regulations and instead allows CDSS to implement and administer the single child care license through all-county letters or similar written instructions until regulations are adopted. Additionally, AB 605 required CDSS to consider best practices for continuity of care of the children and parents being served in the development and adoption of the single child care license. This bill adds a requirement for CDSS to consult with CDE regarding preschool children in the consideration of best practices for continuity of care and in the implementation of the single child care license.

## **Comments**

According to the author of this bill:

Child care has always been an integral part of California's economy and further streamlining that system for parents and providers is a win for the state. The approaching implementation of AB 605, (Mullin, 2018) modernizes the child care licensing system in California by creating a single license and negates the need for language regarding the 'toddler option' in statute. [This bill] resolves this issue while providing the California Department of Social Services the flexibility to fully implement the single-license program through an all-county letter.

## **Related/Prior Legislation**

AB 605 (Mullin Chapter 574, Statutes of 2018) required CDSS, in consultation with stakeholders, to adopt regulations by January 1, 2021, to create a child care center license to serve infant, toddler, preschool, and school-age children and required, by January 1, 2024, all daycare centers to be licensed as child care centers.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, CDSS estimates the need for a staff position to develop and revise regulations, for General Fund costs of \$162,000 in 2022-23 and \$149,000 in 2023-24.

**SUPPORT:** (Verified 8/12/22)

Child Care Resource Center (co-source)

Child Start, Inc. (co-source)

Head Start California (co-source)

Los Angeles County Office of Education (co-source)

Amador Tuolumne Community Action Agency

Child Care Alliance of Los Angeles

Everychild California

Para Los Ninos

Sierra Cascade Family Opportunities

The Institute for Human and Social Development, Inc. DbA Izzi Early Education

The Unity Council

Wu Yee Children's Services

**OPPOSITION:** (Verified 8/12/22)

None received

**ASSEMBLY FLOOR:** 75-0, 5/26/22

**AYES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cervantes, Chen, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

**NO VOTE RECORDED:** Berman, Choi, O'Donnell

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8/15/22 13:37:28

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