

# SENATE BILL REPORT

## SB 6171

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As Reported by Senate Committee On:  
Human Services, January 30, 2024

**Title:** An act relating to studying child care for criminal justice personnel.

**Brief Description:** Ordering a study on child care for criminal justice personnel. [**Revised for 1st Substitute:** Ordering a study on child care for professions with nonstandard hours.]

**Sponsors:** Senators Wilson, L., Torres and Wilson, J..

**Brief History:**

**Committee Activity:** Human Services: 1/29/24, 1/30/24 [DPS-WM].

**Brief Summary of First Substitute Bill**

- Requires the Department of Children, Youth, and Families to conduct a feasibility study for a pilot program to award start-up grants to establish and operate child care programs and services with nonstandard hours for the children of individuals in high demand professions during shift work and abnormal work hours.

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### SENATE COMMITTEE ON HUMAN SERVICES

**Majority Report:** That Substitute Senate Bill No. 6171 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

**Staff:** Kelsey-anne Fung (786-7479)

**Background:** Nonstandard Child Care Hours Rate Model. The Legislature passed the Fair Start for Kids Act in 2021 to expand access to a comprehensive continuum of high quality early childhood development programs. It created the Fair Start for Kids Account in the

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state treasury which, among a nonexhaustive list of spending goals and strategies, includes providing start-up grants to eligible organizations who provide or commit to providing the Early Childhood Education and Assistance Program (ECEAP) or Working Connections Child Care (WCCC), awarding grants and loans through the Early Learning Facilities Grant and Loan Program, and provide child care resources and referral services.

The legislation also required the Department of Children, Youth, and Families (DCYF), in consultation with diverse stakeholders, to develop a rate model for nonstandard child care hours in order to expand the supply of after-hours care to meet the needs of parents and caregivers and a round-the-clock economy. The rate model was due to the Governor and Legislature by January 1, 2022.

According to the January 2022 DCYF report, in addition to base subsidy rates, DCYF offers a flat rate nonstandard hours bonus incentive (NSHB) for licensed or certified providers who provide at least 30 hours of non-standard hour care in a month. Nonstandard hours are before 6:00 a.m. or after 6:00 p.m., any hours on weekends, and any hours on state holidays. Licensed family home providers are eligible for \$90 NSHB. Licensed child care centers are eligible for a \$75 NSHB. Providers are eligible for these respective bonus amounts per child, per month, once the child attends a minimum of 30 hours of non-standard hour care. DCYF recommended in the report increasing the NSHB to \$500 per month per child for children receiving subsidy.

Working Connections Child Care. WCCC is a federally and state-funded program that helps eligible families pay for child care. When a family qualifies for child care subsidy benefits and chooses an eligible provider, the state pays a portion of the cost of child care. The family is responsible for making a copayment to their child care provider each month based on the family's countable income. The child care subsidy helps pay for child care while the parent participates in an approved activity, which includes employment, self-employment, and education activities.

In the 2023-2025 operating budget, the Legislature provided funding to increase the nonstandard hours bonus for WCCC to \$135 per child per month.

Child Care Subsidy Rates and the Nonstandard Hours Rate Model. The Fair Start for Kids Act of 2021 directed DCYF to develop and implement a child care cost estimate model and use the model to recommend subsidy rates at levels sufficient to compensate licensed or certified child care providers for the full cost of providing high quality child care. DCYF must consider:

- adjusting rates to reflect cost of living such as area median income, cost of living by zip code, and grouping by categories such as rural, suburban, or urban; and
- incorporating the rate model for nonstandard child care hours developed by DCYF.

Early Learning Facilities Grants and Loans. The Department of Commerce administers the Early Learning Facilities Grant and Loan Program (program), funded in part by the Early

Learning Facilities Revolving Account and the Early Learning Facilities Development Account. The program provides grants and loans to eligible organizations to plan, renovate, purchase, and construct early learning facilities. Eligible organizations include WCCC providers, ECEAP providers, developers of housing and community facilities, community and technical colleges, educational service districts, local governments, federally recognized tribes, and religiously affiliated entities.

Child Care System Study. In the 2023-2025 operating budget, the Legislature provided funds for DCYF to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than 7 percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the Legislature by June 30, 2025 and should:

- follow the intent of the Fair Start for Kids Act of 2021;
- be aligned with the cost of quality care rate model;
- include timelines, costs, and statutory changes for timely and effective implementation; and
- be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

Funding was also provided in the 2023-2025 operating budget for DCYF to contract with a state-based non-profit digital child care marketing and matching service to deliver child care marketing and matching services to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (First Substitute):** DCYF must conduct a feasibility study and provide cost estimates for a pilot program to award start-up grants in jurisdictions with over 100,000 people to assist with establishing and operating child care programs and services with nonstandard hours for the minor children of individuals in high demand professions including, but not limited to, peace officers and criminal justice personnel, firefighters, medical professionals in rural areas, and construction workers during shift work and abnormal work hours.

A report is due to the Governor and the Legislature by July 1, 2025.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on January 27, 2024.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on First Substitute:** PRO: There is a lack of accessible and affordable child care options for women who want to enter the work force, especially for those who want to have careers in law enforcement. The lack of child care with diverse hours creates loss of productivity for employees, loss of earnings for working parents, makes women more likely to quit their jobs or reduce their hours, and results in a less diverse work force. Often child care has long waiting lists and can be very expensive. This is a recruitment and retention issue that is exacerbating a staffing crisis for law enforcement. The pandemic affected women in the work force more than any other group.

For law enforcement and other first responders, they have to work on Saturdays and Sundays, and often get their shifts extended on short notice. There are irregular schedules, long hours, graveyard shifts, and unpredictable days in this field of work. Individuals in these professions cannot work from home if their nanny is sick. The demands of police work on officers who are parents can be challenging, resulting in burnout, absenteeism, and negative effects on the communities they serve. This bill would improve law enforcement community relations and diversity, improve work and family balance for officers who are parents, create a safer and more effective police force, and allow the field to attract more women and individuals from underrepresented communities. Women police officers are more likely to deescalate situations successfully and are less likely to use force. This bill will support what they need to fulfill their duty with high quality child care. Regional or cooperative partnerships for more rural cities should be explored.

OTHER: There is support for the lower population threshold. It will bring in 10 to 13 more jurisdictions into the pilot study.

**Persons Testifying:** PRO: Senator Lynda Wilson, Prime Sponsor; Tanya Wollstein, Vancouver Police Department; Jeff DeVere, WACOPS - Washington Council of Police and Sheriffs; Jim Mackay, National Law Enforcement Foundation; James McMahan, WA Assoc Sheriffs & Police Chiefs.

OTHER: Lindsey Hueer, Association of Washington Cities; Michael Transue, WA Fraternal Order of Police.

**Persons Signed In To Testify But Not Testifying:** No one.