SENATE BILL SB-88

Introduced by Senator Caroline Menjivar (D-20)

An act relating to An act to expand affordable child care during nontraditional hours for working and student parents.

LEGISLATIVE COUNSEL'S DIGEST

SB-88, Caroline Menjivar (D-20). An act to expand affordable child care during nontraditional hours for working and student parents.

SB ____, as introduced, Senator Menjivar. Child Care Access for Working Families and Student Parents Act.

Existing law provides child care assistance through programs managed by the California Department of Social Services. Work and education or vocational training can qualify a family for assistance if the family meets the program's other requirements.

However, qualifying for assistance does not always mean a family can find care during the hours they need. Parents who work late shifts, attend evening classes, or have weekend responsibilities may have trouble finding an available provider.

This bill would create a three-year pilot program to help licensed child care providers offer early morning, evening, overnight, and weekend care. It would also help eligible working families and student parents pay for care during those hours.

The California Department of Social Services would manage the program and work with participating providers, child care agencies, and colleges. The bill would provide $2 million from the General Fund. Participation by local agencies and colleges would be voluntary.

Vote: 2/3rds. **Appropriations/fiscal:** yes. **Local program:** no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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SECTION 1. Purpose of the bill.

(a) This bill shall be known as the Child Care Access for Working Families and Student Parents Act.

(b) The purpose of this bill is to help parents find affordable child care when their work or school schedules fall outside regular child care hours.

SEC. 2. Pilot program.

(a) The California Department of Social Services shall create a pilot program running from July 1, 2027, through June 30, 2030.

(b) The program shall support care before 7:00 a.m. and after 6:00 p.m. on weekdays, and at any time on weekends. These are the nontraditional hours covered by this bill.

(c) By May 1, 2027, the department shall publish application rules. It shall select at least 10 service areas if enough qualified applications and funding are available. Priority shall go to areas where student parents and shift workers have few child care options. Both rural and urban communities shall be considered.

(d) Child care agencies, nonprofit organizations, and public colleges may apply to help coordinate services. They shall work with licensed child care centers or licensed family child care homes.

(e) The department shall consult with the California Community Colleges and California State University and invite the University of California to participate. Colleges may help parents find providers, but they are not required to open a child care center.

SEC. 3. Support for providers.

(a) Participating providers may receive grants to hire staff, provide training, buy equipment, and prepare safe spaces for additional hours of care.

(b) Providers shall explain which hours and how many spaces they will add. Funds must support additional services instead of replacing funding already provided for the same hours.

(c) Providers must follow existing licensing, staffing, background check, and safety requirements. Overnight care may begin only if the provider has a required licensing approval.

(d) Providers shall keep attendance and spending records. The department may stop funding or require repayment if a provider misuses funds.

SEC. 4. Eligibility for families.

(a) Families must live in California and earn no more than 85 percent of state median income, adjusted for household size. A parent or guardian must need nontraditional hours of care because of work or enrollment in an accredited college or vocational program.

(b) If two parents or guardians are available in the household, the family must explain why neither can provide care during the requested hours. A disability or another documented inability to provide care may satisfy this requirement.

(c) The program shall serve children under age 13. Children with exceptional needs may receive care up to age 21 when care is necessary and the provider is authorized to serve them.

(d) Parents may use care for work, classes, required internships, exams, and reasonable travel time. Student parents may also receive up to two hours of study time per academic credit each week, if they

explain why care is needed during nontraditional hours.

(e) When spaces are limited, priority shall go to the lowest-income families and then to families without another available option, including single parents and parents who both work and attend school. Other eligible families shall be placed on a waiting list.

SEC. 5. Payment for care.

(a) Families shall use existing child care assistance first when it covers the needed care. Pilot funds may pay for approved hours or added costs that are not already covered. The same expense cannot be paid twice.

(b) Families shall not pay a separate evening or weekend charge for care funded by the pilot. Care paid entirely by this pilot shall have no family fee.

(c) Joining the pilot shall not reduce a family's existing child care benefits. Assistance is limited to available space and funding.

SEC. 6. Funding.

(a) This bill appropriates $2 million from the General Fund to the California Department of Social Services for the pilot. Funds shall be available through June 30, 2030.

(b) Forty percent shall go toward provider grants, 50 percent toward assistance for families, and no more than 10 percent toward administration, outreach, and evaluation.

(c) The program shall add to existing child care funding. Local agencies and colleges are not required to participate or provide their own funding.

SEC. 7. Reporting and starting date.

(a) By December 31, 2028, and December 31, 2029, the department shall report how many families were served, which hours were added, how money was spent, and how many families are still waiting for care. Family information shall be kept private.

(b) By March 1, 2030, the department shall recommend whether the program should continue and estimate the funding needed. Continuing it after June 30, 2030, would require further legislation.

(c) Families shall be told when the pilot ends. At least 90 days before their funded care ends, participating agencies shall help them look for other available assistance.

(d) This bill shall take effect on January 1, 2027.