

EARLY CHILDHOOD AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill addresses state programs and services for children in early childhood.

Highlighted Provisions:

This bill:

- defines terms;
- repeals the Governor's Early Childhood Commission (the commission);
- requires the Department of Health and Human Services to provide administrative and staff support to the Early Childhood Utah Advisory Council (the council);
- expands the duties of the council to include duties previously fulfilled by the commission;
- requires the council to report certain information to the executive officers of the Department of Health and Human Services, the Department of Workforce Services, and the State Board of Education;
- extends the sunset date of the council from 2026 to 2029; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

26-66-102, as enacted by Laws of Utah 2019, Chapter 34

26-66-201, as enacted by Laws of Utah 2019, Chapter 34

26-66-202, as enacted by Laws of Utah 2019, Chapter 34

63I-1-226, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255, 347, and 451

ENACTS:

33 **26-66-204**, Utah Code Annotated 1953

34 REPEALS:

35 **63M-13-101**, as enacted by Laws of Utah 2019, Chapter 34

36 **63M-13-102**, as enacted by Laws of Utah 2019, Chapter 34

37 **63M-13-201**, as enacted by Laws of Utah 2019, Chapter 34

38 **63M-13-202**, as last amended by Laws of Utah 2020, Chapter 354

39 **63M-13-203**, as enacted by Laws of Utah 2019, Chapter 34

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41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **26-66-102** is amended to read:

43 **26-66-102. Definitions.**

44 As used in this chapter:

45 ~~[(1) "Commission" means the Governor's Early Childhood Commission created in~~
46 ~~Section 63M-13-201.]~~

47 ~~[(2)]~~ (1) "Council" means the Early Childhood Utah Advisory Council created in
48 Section 26-66-201.

49 (2) "Early childhood" refers to a child in the state who is eight years of age or younger.

50 (3) "State superintendent" means the state superintendent of public instruction
51 appointed under Section 53E-3-301.

52 Section 2. Section **26-66-201** is amended to read:

53 **26-66-201. Creation of the Early Childhood Utah Advisory Council -- Duties of**
54 **the department.**

55 (1) There is created the Early Childhood Utah Advisory Council.

56 (2) The department shall:

57 (a) make rules establishing the membership, duties, and procedures of the council in
58 accordance with the requirements of:

59 ~~[(a)]~~ (i) this chapter;

60 ~~[(b)]~~ (ii) the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec.
61 9837b; and

62 ~~[(c)]~~ (iii) Title 63G, Chapter 3, Utah Administrative Rulemaking Act[-]; and

63 (b) provide necessary administrative and staff support to the council.

Section 3. Section **26-66-202** is amended to read:

26-66-202. Duties of the council.

(1) The duties of the council [~~shall serve as an entity dedicated to~~] include:

(a) improving and coordinating the quality of programs and services for children in accordance with the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec. 9837b[-];

(b) supporting Utah parents and families by providing comprehensive and accurate information regarding the availability of voluntary services for children in early childhood from state agencies and other private and public entities;

(c) facilitating improved coordination between state agencies and community partners that provide services to children in early childhood;

(d) sharing and analyzing information regarding early childhood issues in the state;

(e) providing recommendations to the department, the Department of Workforce Services, and the State Board of Education regarding a comprehensive delivery system of services for children in early childhood that addresses the following four areas:

(i) family support and safety;

(ii) health and development;

(iii) early learning; and

(iv) economic development; and

(f) identifying opportunities for and barriers to the alignment of standards, rules, policies, and procedures across programs and agencies that support children in early childhood.

(2) To fulfill the duties described in Subsection (1), the council shall:

(a) directly engage with parents, families, community members, and public and private service providers to identify and address:

(i) the quality, effectiveness, and availability of existing services for children in early childhood and the coordination of those services;

(ii) gaps and barriers to entry in the provision of services for children in early childhood; and

(iii) community-based solutions in improving the quality, effectiveness, and availability of services for children in early childhood;

(b) seek regular and ongoing feedback from a wide range of entities and individuals

that use or provide services for children in early childhood, including entities and individuals that use, represent, or provide services for any of the following:

(i) children in early childhood who live in urban, suburban, or rural areas of the state;

(ii) children in early childhood with varying socioeconomic backgrounds;

(iii) children in early childhood with varying ethnic or racial heritage;

(iv) children in early childhood from various geographic areas of the state; and

(v) children in early childhood with special needs;

(c) study, evaluate, and report on the status and effectiveness of policies, procedures, and programs that provide services to children in early childhood;

(d) study and evaluate the effectiveness of policies, procedures, and programs implemented by other states and nongovernmental entities that address the needs of children in early childhood;

(e) identify policies, procedures, and programs that are impeding efforts to help children in early childhood in the state and recommend changes to those policies, procedures, and programs;

(f) identify policies, procedures, and programs related to children in early childhood in the state that are inefficient or duplicative and recommend changes to those policies, procedures, and programs;

(g) recommend policy, procedure, and program changes to address the needs of children in early childhood;

(h) develop methods for using interagency information to inform comprehensive policy and budget decisions relating to early childhood services; and

(i) develop strategies and monitor efforts concerning:

(i) increasing school readiness;

(ii) improving access to early child care and early education programs; and

(iii) improving family and community engagement in early childhood education and development.

(3) In fulfilling the council's duties, the council may request and receive, from any state or local governmental agency or institution, information relating to early childhood, including reports, audits, projections, and statistics.

~~(2) The council shall advise the commission and, on or before August 1, annually~~

provide to the commission:]

~~[(a) a statewide assessment concerning the availability of high-quality pre-kindergarten services for children from low-income households; and]~~

~~[(b) a statewide strategic report addressing the activities mandated by the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec. 9837b, including:]~~

~~[(i) identifying opportunities for and barriers to collaboration and coordination among federally-funded and state-funded child health and development, child care, and early childhood education programs and services, including collaboration and coordination among state agencies responsible for administering such programs;]~~

~~[(ii) evaluating the overall participation of children in existing federal, state, and local child care programs and early childhood health, development, family support, and education programs;]~~

~~[(iii) recommending statewide professional development and career advancement plans for early childhood educators and service providers in the state, including an analysis of the capacity and effectiveness of programs at two- and four-year public and private institutions of higher education that support the development of early childhood educators; and]~~

~~[(iv) recommending improvements to the state's early learning standards and high-quality comprehensive early learning standards.]~~

~~[(3) On or before August 1, 2020, and at least every five years thereafter, the council shall provide to the commission a statewide needs assessment concerning the quality and availability of early childhood education, health, and development programs and services for children in early childhood.]~~

Section 4. Section **26-66-204** is enacted to read:

26-66-204. Reports.

(1) (a) On or before August 1 of each year, the council shall provide an annual report to the executive director, the executive director of the Department of Workforce Services, and the state superintendent.

(b) The annual report shall include:

(i) a statewide assessment concerning the availability of high-quality pre-kindergarten services for children from low-income households;

(ii) a statewide strategic report addressing the activities mandated by the Improving

157 Head Start for School Readiness Act of 2007, 42 U.S.C. Sec. 9837b, including:

158 (A) identifying opportunities for and barriers to collaboration and coordination among
159 federally-funded and state-funded child health and development, child care, and early
160 childhood education programs and services, including collaboration and coordination among
161 state agencies responsible for administering such programs;

162 (B) evaluating the overall participation of children in existing federal, state, and local
163 child care programs and early childhood health, development, family support, and education
164 programs;

165 (C) recommending statewide professional development and career advancement plans
166 for early childhood educators and service providers in the state, including an analysis of the
167 capacity and effectiveness of programs at two- and four-year public and private institutions of
168 higher education that support the development of early childhood educators; and

169 (D) recommending improvements to the state's early learning standards and
170 high-quality comprehensive early learning standards; and

171 (iii) the recommendations described in Subsection 26-66-202(1)(e).

172 (2) In addition to the annual report described in Subsection (1)(a), on or before August
173 1, 2024, and at least every five years thereafter, the council shall provide to the executive
174 director, the executive director of the Department of Workforce Services, and the state
175 superintendent, a statewide needs assessment concerning the quality and availability of early
176 childhood education, health, and development programs and services for children in early
177 childhood.

178 Section 5. Section **63I-1-226** is amended to read:

179 **63I-1-226. Repeal dates: Title 26 through 26B.**

180 (1) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July
181 1, 2025.

182 (2) Section 26-1-40 is repealed July 1, 2022.

183 (3) Section 26-1-41 is repealed July 1, 2026.

184 (4) Section 26-1-43 is repealed December 31, 2025.

185 (5) Section 26-7-10 is repealed July 1, 2025.

186 (6) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1,
187 2028.

- 188 (7) Section 26-7-14 is repealed December 31, 2027.
- 189 (8) Section 26-8a-603 is repealed July 1, 2027.
- 190 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
191 1, 2025.
- 192 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
193 is repealed July 1, 2026.
- 194 (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
195 July 1, 2025.
- 196 ~~[(12) Subsection 26-15c-104(3), relating to a limitation on the number of~~
197 ~~microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.]~~
- 198 ~~[(13)]~~ (12) Subsection 26-18-2.6(9), which addresses reimbursement for dental
199 hygienists, is repealed July 1, 2028.
- 200 ~~[(14)]~~ (13) Section 26-18-27 is repealed July 1, 2025.
- 201 ~~[(15)]~~ (14) Section 26-18-28 is repealed June 30, 2027.
- 202 ~~[(16)]~~ (15) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed
203 July 1, 2027.
- 204 ~~[(17)]~~ (16) Subsection 26-18-418(2), the language that states "and the Behavioral
205 Health Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.
- 206 ~~[(18)]~~ (17) Section 26-33a-117 is repealed December 31, 2023.
- 207 ~~[(19)]~~ (18) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
208 2024.
- 209 ~~[(20)]~~ (19) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July
210 1, 2024.
- 211 ~~[(21)]~~ (20) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
212 repealed July 1, 2024.
- 213 ~~[(22)]~~ (21) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July
214 1, 2024.
- 215 ~~[(23)]~~ (22) Section 26-39-201, which creates the Residential Child Care Licensing
216 Advisory Committee, is repealed July 1, 2024.
- 217 ~~[(24)]~~ (23) Section 26-39-405, Drinking water quality in child care centers, is repealed
218 July 1, 2027.

219 ~~[(25)]~~ (24) Section 26-40-104, which creates the Utah Children's Health Insurance
220 Program Advisory Council, is repealed July 1, 2025.

221 ~~[(26)]~~ (25) Section 26-50-202, which creates the Traumatic Brain Injury Advisory
222 Committee, is repealed July 1, 2025.

223 ~~[(27)]~~ (26) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
224 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

225 ~~[(28)]~~ (27) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed
226 July 1, ~~[2026]~~ 2029.

227 ~~[(29)]~~ (28) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July
228 1, 2024.

229 ~~[(30)]~~ (29) Section 26-69-406 is repealed July 1, 2025.

230 ~~[(31)]~~ (30) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing
231 Advisory Committee, is repealed July 1, 2024.

232 ~~[(32)]~~ (31) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee,
233 is repealed July 1, 2025.

234 Section 6. **Repealer.**

235 This bill repeals:

236 Section **63M-13-101, Title.**

237 Section **63M-13-102, Definitions.**

238 Section **63M-13-201, Creation of the Governor's Early Childhood Commission.**

239 Section **63M-13-202, Duties of the commission.**

240 Section **63M-13-203, Annual report.**