

EARLY CHILDHOOD AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Ann Millner

LONG TITLE

Committee Note:

The Economic Development and Workforce Services Interim Committee recommended this bill.

Legislative Vote: 14 voting for 0 voting against 2 absent

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:



28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **26-66-102**, as enacted by Laws of Utah 2019, Chapter 34

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

35 **26-66-202**, as enacted by Laws of Utah 2019, Chapter 34

36 **63I-1-226**, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255,
37 347, and 451

38 ENACTS:

39 **26-66-204**, Utah Code Annotated 1953

40 REPEALS:

41 **63M-13-101**, as enacted by Laws of Utah 2019, Chapter 34

42 **63M-13-102**, as enacted by Laws of Utah 2019, Chapter 34

43 **63M-13-201**, as enacted by Laws of Utah 2019, Chapter 34

44 **63M-13-202**, as last amended by Laws of Utah 2020, Chapter 354

45 **63M-13-203**, as enacted by Laws of Utah 2019, Chapter 34



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

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

49 **26-66-102. Definitions.**

50 As used in this chapter:

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

53 ~~[(2)]~~ (1) "Council" means the Early Childhood Utah Advisory Council created in
54 Section **26-66-201**.

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

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

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

59 **26-66-201. Creation of the Early Childhood Utah Advisory Council -- Duties of**
60 **the department.**

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

62 (2) The department shall:

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

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

66 ~~[(b)]~~ (ii) the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec.
67 9837b; and

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

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

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

71 **26-66-202. Duties of the council.**

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

73 (a) improving and coordinating the quality of programs and services for children in
74 accordance with the Improving Head Start for School Readiness Act of 2007, 42 U.S.C. Sec.
75 9837b[-];

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

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

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

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

85 (i) family support and safety;

86 (ii) health and development;

87 (iii) early learning; and

88 (iv) economic development; and

89 (f) identifying opportunities for and barriers to the alignment of standards, rules,

90 policies, and procedures across programs and agencies that support children in early childhood.

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

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

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

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

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

100 (b) seek regular and ongoing feedback from a wide range of entities and individuals
101 that use or provide services for children in early childhood, including entities and individuals
102 that use, represent, or provide services for any of the following:

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

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

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

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

107 (v) children in early childhood with special needs;

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

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

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

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

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

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

123 (i) develop strategies and monitor efforts concerning:

124 (i) increasing school readiness;

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

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

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

131 ~~[(2) The council shall advise the commission and, on or before August 1, annually~~
132 ~~provide to the commission:]~~

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

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

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

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

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

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

150 ~~[(3) On or before August 1, 2020, and at least every five years thereafter, the council~~
151 ~~shall provide to the commission a statewide needs assessment concerning the quality and~~

152 ~~availability of early childhood education, health, and development programs and services for~~
153 ~~children in early childhood.]~~

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

155 **26-66-204. Reports.**

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

159 (b) The annual report shall include:

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

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

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

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

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

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

177 (iii) the recommendations described in Subsection [26-66-202\(1\)\(e\)](#).

178 (2) In addition to the annual report described in Subsection (1)(a), on or before August
179 1, 2024, and at least every five years thereafter, the council shall provide to the executive
180 director, the executive director of the Department of Workforce Services, and the state
181 superintendent, a statewide needs assessment concerning the quality and availability of early
182 childhood education, health, and development programs and services for children in early

183 childhood.

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

185 **63I-1-226. Repeal dates: Title 26 through 26B.**

186 (1) Section **26-1-7.5**, which creates the Utah Health Advisory Council, is repealed July
187 1, 2025.

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

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

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

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

192 (6) Subsection **26-7-11(5)**, regarding reports to the Legislature, is repealed July 1,
193 2028.

194 (7) Section **26-7-14** is repealed December 31, 2027.

195 (8) Section **26-8a-603** is repealed July 1, 2027.

196 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
197 1, 2025.

198 (10) Subsection **26-10-6(5)**, which creates the Newborn Hearing Screening Committee,
199 is repealed July 1, 2026.

200 (11) Section **26-10b-106**, which creates the Primary Care Grant Committee, is repealed
201 July 1, 2025.

202 [~~(12)~~ Subsection **26-15c-104(3)**, relating to a limitation on the number of
203 microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.]

204 [~~(13)~~ (12) Subsection **26-18-2.6(9)**, which addresses reimbursement for dental
205 hygienists, is repealed July 1, 2028.

206 [~~(14)~~ (13) Section **26-18-27** is repealed July 1, 2025.

207 [~~(15)~~ (14) Section **26-18-28** is repealed June 30, 2027.

208 [~~(16)~~ (15) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed
209 July 1, 2027.

210 [~~(17)~~ (16) Subsection **26-18-418(2)**, the language that states "and the Behavioral
211 Health Crisis Response Commission created in Section **63C-18-202**" is repealed July 1, 2023.

212 [~~(18)~~ (17) Section **26-33a-117** is repealed December 31, 2023.

213 [~~(19)~~ (18) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,

214 2024.

215 ~~[(20)]~~ (19) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July
216 1, 2024.

217 ~~[(21)]~~ (20) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
218 repealed July 1, 2024.

219 ~~[(22)]~~ (21) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July
220 1, 2024.

221 ~~[(23)]~~ (22) Section 26-39-201, which creates the Residential Child Care Licensing
222 Advisory Committee, is repealed July 1, 2024.

223 ~~[(24)]~~ (23) Section 26-39-405, Drinking water quality in child care centers, is repealed
224 July 1, 2027.

225 ~~[(25)]~~ (24) Section 26-40-104, which creates the Utah Children's Health Insurance
226 Program Advisory Council, is repealed July 1, 2025.

227 ~~[(26)]~~ (25) Section 26-50-202, which creates the Traumatic Brain Injury Advisory
228 Committee, is repealed July 1, 2025.

229 ~~[(27)]~~ (26) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
230 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

231 ~~[(28)]~~ (27) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed
232 July 1, ~~[2026]~~ 2029.

233 ~~[(29)]~~ (28) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July
234 1, 2024.

235 ~~[(30)]~~ (29) Section 26-69-406 is repealed July 1, 2025.

236 ~~[(31)]~~ (30) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing
237 Advisory Committee, is repealed July 1, 2024.

238 ~~[(32)]~~ (31) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee,
239 is repealed July 1, 2025.

240 Section 6. **Repealer.**

241 This bill repeals:

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

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

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

245 Section [63M-13-202](#), Duties of the commission.

246 Section [63M-13-203](#), Annual report.