



2022 Child Care Legislative Roundup

Everyone will have a fair chance to succeed when they can work, live, and raise their family with dignity. The 2022 legislative cycle saw bold proposals to reform support for families and children.

Child Care in the 2022-2023 Budget

Child Care Spaces

As part of the 2022-2023 Budget agreement, funding for new child care center spaces and child care vouchers in CDSS child care programs are as follows:

- Child care spaces: \$22.5 million for a total of about 993 new spaces¹
- Child care vouchers: \$247.3 million for a total of about 22,165 new vouchers²

\$992 million was included to pay annual costs for the child care spaces³ approved in 2021-2022:

- \$896.9 million for a total enrollment of about 43,406 children in child care center programs⁴
- \$95.1 million for a total enrollment of about 8,523 children enrolled in child care programs with a voucher⁵

Family Fee Waivers

Family fees are waived for the fiscal year 2022-2023.⁶

- \$136 million to waive family fees for CDSS child care programs⁷
- 21.3 million to waive family fees for California State Preschool Program⁸

Child Care Provider Benefits

The Child Care Providers – United (CCPU) won the following benefits for the child care provider community:

- \$352 million Child Care provider stipends for providers serving children with subsidies⁹
- CCPU Health and Retirement Benefits
 - \$100 thousand contributions to create a health care benefits trust¹⁰
 - \$100 million contributions to the health care benefits trust after it is established¹¹
 - \$40 thousand contribution to design and conduct a survey for retirement needs¹²
 - \$100 thousand contribution to establish a retirement benefits trust¹³
- Providers will be reimbursed based on enrollment rather than attendance¹⁴
- Providers have an additional 16 paid non-operational days for use for COVID-19 until June 30, 2023¹⁵

Universal Kindergarten

- \$18.3 million for the California Universal Preschool Planning Program¹⁶

Grant Programs

- \$100.5 to the Infrastructure Grant Program for “acquisition, construction, development, and renovation of child care facilities”¹⁷
- \$20 million capacity grants to the California Alternative Payment Program contractors¹⁸
- \$5.002 million for Early Head Start Child Care Partnership Grant¹⁹
- \$300 for Pre-Kindergarten Planning and Implementation Grants for Transitional Kindergarten²⁰

Other Child Care Provider Policy Changes

- Exclusion of Foster Care Payments and Guaranteed Income Payments from Income Eligibility Determination for child care²¹
- Provider Notice Requirements expanded to all CDSS child care programs²²
- Increased adjustment factors for full-day California State Preschool Program providers serving:
 - Children with exceptional needs, including severe disabilities;
 - Children at risk of neglect, abuse, or exploitation;
 - Children who are dual language learners;
 - Children who have early childhood mental health consultation services; and
 - Children under four-years-old²³
- Increased Cost of Living Adjustment to 6.56% for the following programs:
 - General Child Care and Development Program;
 - California Alternative Payment Program;
 - Family Child Care Home Networks;
 - Migrant Child Care and Development Programs;
 - Migrant Alternative Payment Programs;
 - Resource and Referral Programs;
 - Children with Severe Disabilities; and
 - Local Child Care and Development Planning Councils²⁴

Family Friendly Policies

- \$100 million for HOPE Accounts, which are interest-bearing trust accounts for children from families with low income and lost a parent or primary caregiver to COVID-19, and for children in long-term foster care²⁵

California Child Care Legislation Passed

[SB 1047](#) (Limón) facilitates enrollment for families into publicly-funded child care by expanding categorical eligibility to families enrolled in other benefits programs such as CalFresh, Medi-Cal, WIC, or Head Start. This bill also creates 24 months of continuous child care and preschool eligibility for families (excluding families with CalWORKs child care). Families with CalWORKs child care continue to receive 12 months of continuous eligibility under SB 1047.

[AB 321](#) (Valladares) adds enrollment prioritization for children from families whose primary home language is not English into publicly-funded child care and preschool programs.

[AB 2300](#) (Kalra) adds bonding and paid family leave provisions to CalWORKs participation rules. Generally, parents in CalWORKs receive a small monthly grant and must participate in a work-related activity. This bill allows parents to receive a grant while not working if:

- They must leave a job because the schedule is unpredictable or their rights are violated (continued CalWORKs benefits for three months).
- They give birth to, adopt, or foster a child (up to twelve weeks).

[AB 2277](#) (Gómez Reyes) requires, instead of permits, counties to issue a Domestic Violence Waiver for Welfare-to-Work requirements to qualifying CalWORKs clients who experience(d) domestic violence. Parents may continue to receive child care during their waiver period.

[AB 2832](#) (Rivas) requires the California Department of Social Services (CDSS), in consultation with the California Department of Education (CDE) and with feedback from early childhood stakeholders, to create a “Whole Child Equity Framework” and “Whole Child Community Equity Screening Tool to help ensure equitable distribution of resources and monitor progress on addressing racial and economic disparities in early childhood programs. This bill requires CDSS to convene a workgroup to make recommendations on how to develop and use the Framework and Equity Tool. The workgroup must include parents and families from historically underserved communities and other stakeholders who bring insight to support the whole child. CDSS must present the Framework and Equity Tool to the Legislature on or before January 1, 2025.

[AB 22](#) (McCarty) requires CDE to collect pupil data for each child enrolled in and employee data for educators working at a California state preschool operated by a local school district by July 1, 2024.

Vetoed

[AB 92](#) (Gómez Reyes) - Affordable Child Care Family Fees Act

- Legislation to tackle racist child care policy
- Creates an equitable family fee payment schedule of child care fees for families in publicly-funded child care
- [Veto message](#) highlights: “While the intent of this bill is consistent with our previous budget actions, it creates costs in the tens of millions of dollars not currently accounted for in the state's fiscal plan. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing.”

Did Not Pass Out of The Legislature

[SB 976](#) (Leyva) - Universal Preschool

- California State Preschool Program for all four-year-olds regardless of income. Parents could choose the early childhood education setting of their choice
- Allowed family child care homes and Head Start centers to provide state-funded preschool
- Money was allocated in the state budget to fund a stakeholder group

Other Legislation Improving the Lives of Women, Children, and Families

Passed

[SB 951](#) (Durazo) increases Paid Family Leave and State Disability Insurance to 90% of regular wages for workers making up to 70% of the state average weekly wage, which is about \$57,000 a year in 2022.

[AB 1041](#) (Wicks) expands the group of people for whom an employee can take time off for family care and medical leave to include a “designated person” – any individual related by blood or whose association with the employee is the equivalent of a family relationship. This helps employees care for a wider range for their loved ones.

[AB 1949](#) (Low) creates a statewide bereavement leave policy that allows an employee to take a total of at least five days for the death of a family member. If there is an existing bereavement paid leave policy of less than five days, the employee is entitled to five days of paid leave. If there is no existing bereavement policy, the employee is entitled to five days of unpaid leave and can use other paid time off available.

[SB 1017](#) (Eggman) strengthens the current housing eviction protections for survivors of violence, including domestic violence, intimate partner violence, sexual assault, stalking, human trafficking, elder or dependent adult abuse, and other forms of violent acts.

¹ Child care spaces are referring to the General Child Care and Development Program (CCTR). We determined this number as follows: \$22.5 million/\$20,663. The new funding allocated to this program, \$22.5 million, divided by the cost of each space, \$20,663. See Cal. Dep’t of Soc. Servs., “Local Assistance 2022 May Revision” at 7 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>. We determined the cost of space by dividing the total program funding by the number of children enrolled in that program. See Cal. Dep’t of Soc. Servs., “Local Assistance 2022 May Revision” at 28 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>.

² Child care vouchers are referring to the California Alternative Payment Program (CAPP). We determined this number as follows: \$247.3 million/\$11,157. The new funding allocated to this program, \$247.3 million, divided by the cost of each space, \$11,157. See Cal. Dep’t of Soc. Servs., “Local Assistance 2022 May Revision” at 7 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>. We determined the cost of voucher by dividing the total program funding by the number of children enrolled in that program. See Cal. Dep’t of Soc. Servs., “Local Assistance 2022 May Revision” at 28 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>.

³ See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 7 (2022)

<https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>.

⁴ Child care center programs are referring to the General Child Care and Development Program (CCTR). We determined this number as follows: \$896.9 million/\$20,663. The total funding allocated to this program to cover yearly costs, \$896.9 million, divided by the cost of each space, \$20,663. See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 7 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>. We determined the cost of space by dividing the total program funding by the number of children enrolled in that program. See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 28 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>.

⁵ Child care programs with a voucher are referring to the California Alternative Payment Program (CAPP). We determined this number as follows: \$95.1 million/\$11,157. The total funding allocated to this program to cover yearly costs, \$95.1 million, divided by the cost of each space, \$11,157. See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 7 (2022) <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>. We determined the cost of voucher by dividing the total program funding by the number of children enrolled in that program. See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 28 (2022)

<https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>.

⁶ [Assemb. B. 210, 2022-2023 Leg. Reg. Sess. § 25 \(Cal. 2022\), Chapter 62, Statutes of 2022 AB 210 \(amending Cal. Welf. & Inst. Code § 10290\).](#)

⁷ See Cal. Dep't of Soc. Servs., "Local Assistance 2022 May Revision" at 28 (2022)

<https://www.cdss.ca.gov/Portals/9/Additional-Resources/Fiscal-and-Financial-Information/Local-Assistance-Estimates/2022/2022-May-Revision-CCD-Tab.pdf>; see also Cal. Dep't of Fin., "2022-23 State Budget Enacted Budget Summary" at 80 (2022), <https://www.ebudget.ca.gov/2022-23/pdf/Enacted/BudgetSummary/FullBudgetSummary.pdf>.

⁸ See Cal. Dep't of Fin., "2022-23 State Budget Enacted Budget Summary" at 54 (2022),

<https://www.ebudget.ca.gov/2022-23/pdf/Enacted/BudgetSummary/FullBudgetSummary.pdf>.

⁹ See [Assemb. B. 179, 2022-2023 Leg. Reg. Sess. § 146. Item 5180-101-0890 Schedule \(3\) Provision 8 \(Cal. 2022\), Chapter 249, Statutes of 2022](#) (\$320 million in federal dollars), [Assemb. B. 179, 2022-2023 Leg. Reg. Sess. § 145. Item 5180-101-0001 Schedule \(3\) Provision 27 \(Cal. 2022\), Chapter 249, Statutes of 2022](#) (\$32 million in other funds).

¹⁰ [Assemb. B. 178, 2022-2023 Leg. Reg. Sess. § 157. Item 5180-101-0001 Provision 22 \(Cal. 2022\), Chapter 45, Statutes of 2022.](#)

¹¹ [Assemb. B. 178, 2022-2023 Leg. Reg. Sess. § 157 Item 5180-101-0001 Provision 23 \(Cal. 2022\), Chapter 45, Statutes of 2022.](#)

¹² [Assemb. B. 178, 2022-2023 Leg. Reg. Sess. § 157. Item 5180-101-0001 Provision 24 \(Cal. 2022\), Chapter 45, Statutes of 2022.](#)

¹³ [Assemb. B. 178, 2022-2023 Leg. Reg. Sess. § 157. Item 5180-101-0001 Provision 25 \(Cal. 2022\), Chapter 45, Statutes of 2022.](#)

¹⁴ [Assemb. B. 210, 2022-2023 Leg. Reg. Sess. § 27\(a\)\(1\)\(A\) - \(B\) \(Cal. 2022\), Chapter 62, Statutes of 2022.](#)

¹⁵ [Assemb. B. 179, 2022-2023 Leg. Reg. Sess. § 145. Item 5180-101-0001 Schedule \(3\) Provision 26 \(Cal. 2022\), Chapter 249, Statutes of 2022.](#)

¹⁶ [S. B. 154, 2022-2023 Leg. Reg. Sess. Item 6100-194-0001 Provision 5 \(Cal. 2022\), Chapter 43, Statutes of 2022.](#)

¹⁷ [Assemb. B. 179, 2022-2023 Leg. Reg. Sess. § 146. Item 5180-101-0890 Provision 7 \(Cal. 2022\), Chapter 45, Statutes of 2022.](#)

¹⁸ [S. B. 154, 2022-2023 Leg. Reg. Sess. Item 5180-101-0001 Provision 18 \(Cal. 2022\), Chapter 43, Statutes of 2022.](#)

¹⁹ See [S. B. 154, 2022-2023 Leg. Reg. Sess. Item 6100-001-0890 Provision 13 \(Cal. 2022\), Chapter 43, Statutes of 2022](#) & [S. B. 154, 2022-2023 Leg. Reg. Sess. Item 6100-294-0890 Provision 1 \(Cal. 2022\), Chapter 43, Statutes of 2022.](#)

²⁰ [Assemb. B. 181, 2022-2023 Leg. Reg. Sess. § 7 \(Cal. 2022\), Chapter 52, Statutes of 2022 \(amending Cal. Educ. Code § 8281.5\).](#)

²¹ [Assemb. B. 185, 2022-2034 Leg. Reg. Sess. § 47 \(cal. 2022\) Chapter 571, Statutes of 2022 \(amending Cal. Welf. & Inst. Code § 10271.5\).](#)

²² [Assemb. B. 210, 2022-2023 Leg. Reg. Sess. § 23 \(Cal. 2022\), Chapter 60, Statutes of 2022 \(adding Cal. Welf. & Inst. Code § 10276\);](#) see also [Cal. Welf. & Inst. Code § 10276.](#)

²³ [Assemb. B. 210, 2022-2023 Leg. Reg. Sess. § 8 \(Cal. 2022\), Chapter 62, Statutes of 2022 \(amending Cal. Educ. Code § 8244\).](#)

²⁴ Cal. Dep't of Soc. Servs., Child Care Bulletin, (CCB) No. 22-18 Fiscal Year 2022-23 Child Care and Development Budget Overview at 3, https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/CCBs/2022/CCB_22-18.pdf?ver=2022-08-02-143858-387 (last visited Dec. 2, 2022).

²⁵ See [Assemb. B. 178, 2022-2023 Leg. Reg. Sess. § 45. Item 957-113-0001 \(Cal. 2022\), Chapter 45, Statutes of 2022;](#) see also Cal. Dep't of Fin., "2022-23 State Budget Enacted Budget Summary" at 142 (2022), <https://www.ebudget.ca.gov/2022-23/pdf/Enacted/BudgetSummary/FullBudgetSummary.pdf>.