

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Enrolled

Senate Bill 282

(Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Education)

Education, Health, and Environmental Affairs

Ways and Means

Early Childhood Development - Transfer of Provisions

This departmental bill transfers numerous provisions of law relating to early childhood development from the Family Law Article to the Education Article. The bill formally establishes the Division of Early Childhood Development within the Maryland State Department of Education (MSDE).

The bill takes effect June 1, 2016.

Fiscal Summary

State Effect: The bill's changes are primarily technical in nature and do not otherwise materially impact State finances or operations.

Local Effect: None.

Small Business Effect: MSDE has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary/Current Law: The bill generally transfers provisions relating to early childhood development programs from the Family Law Article to the Education Article and makes associated technical changes. Provisions transferred within the bill include those relating to family child care homes and large family child care homes, child care

centers, and the child care quality incentive grant program. Substantive changes within the bill are limited to those discussed below.

Under current law, the Early Childhood Development Advisory Council is responsible for (1) advising and counseling the Early Childhood Development Division of MSDE; (2) reviewing regulations proposed by State agencies regulating child care to ensure coordination and consistency; (3) reviewing issues and problems relating to care of children and suggesting priorities for consideration by the division; and (4) identifying interdepartmental issues of importance to child care providers and users that should be addressed by the division and other State agencies. The council consists of numerous members, including representatives from specified State agencies. The bill renames the Early Childhood Development Council to be the Office of Child Care Advisory Council and repeals a requirement for the Governor's Office for Children to be represented on the council.

The bill also establishes that the State Board of Education, not MSDE, must adopt regulations relating to early childhood development programs.

Background: Chapter 585 of 2005 required the State Superintendent of Schools to establish a Division of Early Childhood Development. It also transferred the licensing and credentialing unit of the former Child Care Administration from the Department of Human Resources to MSDE and reformed it as the Office of Child Care. Other programs related to early childhood development, such as the child care subsidy program, have since been transferred to MSDE. Regulations concerning early childhood development programs are already within MSDE's title in the Code of Maryland Regulations. The legislation consolidates all of the statutory provisions pertaining to the early childhood work of MSDE within the Education Article to accurately reflect the programmatic structure of MSDE.

MSDE also advises that under current law, the State Superintendent has sole authority to approve proposed regulations regarding early childhood programs. All other proposed regulations at MSDE are required to be approved by the State Board of Education prior to submission. The bill will ensure that proposed regulations regarding early childhood programs follow the same process as other regulations within MSDE.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2016
min/rhh

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Education – Division of Early Childhood Development – Transfer of Provisions

BILL NUMBER: SB 282

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PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS