



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5992/1
EAW:cdc

2023 SENATE BILL 1096

March 27, 2024 - Introduced by Senator LARSON, cosponsored by Representative STUBBS. Referred to Committee on Government Operations.

1 **AN ACT to create** 15.207 (20), 48.47 (20) and 48.6595 of the statutes; **relating**
2 **to:** creation of the council on child care availability and reporting on the cost of
3 child care.

Analysis by the Legislative Reference Bureau

This bill creates a council on child care availability, to be housed in the Department of Children and Families. The council is charged with studying various issues related to the establishment of a free and universal child care system within the state and with making an annual report to the legislature and governor with recommendations for how to establish and pay for the free and universal child care system.

Under the bill, DCF is required to create a biennial report detailing the actual cost of child care, broken out by the type of care provided and compared to the child care rates established by DCF under current law.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 15.207 (20) of the statutes is created to read:

SENATE BILL 1096**SECTION 1**

1 15.207 (20) COUNCIL ON CHILD CARE AVAILABILITY. There is created in the
2 department of children and families a council on child care availability. The council
3 shall consist of the following members:

4 (a) The secretary of children and families and the secretary of workforce
5 development, or their designees, and a representative from the office of the governor
6 who shall serve as cochairpersons of the council.

7 (b) Three individuals appointed by the speaker of the assembly, at least one of
8 whom is a parent who has participated in the Wisconsin Shares program.

9 (c) Three individuals appointed by the assembly minority leader, at least one
10 of whom is a parent who has participated in the Wisconsin Shares program.

11 (d) Three individuals appointed by the president of the senate, at least one of
12 whom is a parent who has participated in the Wisconsin Shares program.

13 (e) Three individuals appointed by the senate minority leader, at least one of
14 whom is a parent who has participated in the Wisconsin Shares program.

15 (f) Two representatives of a child care resource and referral agency.

16 (g) Two representatives of home-based child care providers.

17 (h) Two representatives of center-based child care providers.

18 (i) Two representatives from the business community.

19 (j) Two representatives from unions that represent child care providers.

20 (k) At least one representative from each of the following entities:

21 1. The department of children and families.

22 2. The department of revenue.

23 3. The Wisconsin Economic Development Corporation.

24 4. The University of Wisconsin System.

25 5. The technical college system.

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1 6. The department of public instruction.

2 7. A county social services agency or an entity that advocates on behalf of social
3 services or county governments.

4 8. A nonprofit child care advocacy organization.

5 **SECTION 2.** 48.47 (20) of the statutes is created to read:

6 48.47 (20) REPORT ON THE COST OF CHILD CARE. Biennially, prepare a report
7 detailing the actual cost providers incur when providing child care. The department
8 shall report its findings and recommendations to the governor and to the appropriate
9 standing committees of the legislature under s. 13.172 (3) no later than July 1, 2024
10 and by July 1 of each even-numbered year thereafter, and shall post the report on
11 its publicly available website. The report shall include:

12 (a) Detailed cost data for each setting, age group, care provided to children with
13 special needs, and any other grouping for which a separate cost estimation is
14 appropriate.

15 (b) The level of quality care available for each setting, as determined by the
16 quality rating system under s. 48.659.

17 (c) A description of the major cost drivers for providing care.

18 (d) A comparison of the costs of child care for each grouping to the child care
19 rates established under s. 49.155 (6).

20 **SECTION 3.** 48.6595 of the statutes is created to read:

21 **48.6595 Council on child care availability.** (1) The council on child care
22 availability shall advise the state in developing a system of free and universal child
23 care using existing state and federal resources and shall make recommendations
24 based on its study of all of the following:

SENATE BILL 1096**SECTION 3**

1 (a) How to implement a universal child care system that is free at the point of
2 service for all families and that delivers high-quality child care to all residents of this
3 state, with a 4-year phase-in, taking into account the following priorities and
4 principles:

5 1. Expansions of subsidized care are targeted to first cover low-income
6 families, historically underserved communities, and families facing complex needs,
7 including children with disabilities and child welfare involvement.

8 2. Work requirements, activities tests, and immigration status requirements
9 for low-income families are all eliminated.

10 3. The phase-in takes all reasonable steps to avoid benefit cliffs.

11 4. Reasonable steps are taken to guard against increases in costs for
12 middle-income families.

13 5. Roll-out of universal child care is coordinated with expansions of universal
14 preschool programs so that such programs do not cause unintentional harm to child
15 care providers.

16 (b) How to eliminate the barriers that eligible families face in obtaining or
17 utilizing child care subsidies.

18 (c) How to ensure the availability of child care for nontraditional work hours,
19 and identification of the funding that would be needed to expand facilities that cover
20 nontraditional work hours.

21 (d) Whether parents are voluntarily leaving the workforce due to lack of child
22 care, and the demographic information of such parents, if known.

23 (e) Whether employers have identified a lack of child care as a reason for a
24 shortage of a qualified workforce.

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- 1 (f) The impact of child care, or lack thereof, on economic development
2 throughout the state.
- 3 (g) Availability of quality child care by region, including identification of
4 underserved communities and recommendations for making available free,
5 high-quality child care in such communities.
- 6 (h) Whether regulatory or statutory changes could promote free and universal
7 access to high-quality child care and improve health and safety standards in child
8 care programs.
- 9 (i) Incentives to institutions that offer child care to increase universal and free
10 child care.
- 11 (j) The existence of unlicensed or unregulated child care providers, the labor
12 conditions of employees at such facilities, and regulatory recommendations for
13 approaching such providers.
- 14 (k) Disparities in the quality of child care provided to families of different
15 economic backgrounds, different geographic regions, and the funding needed to
16 provide high-quality child care for all.
- 17 (L) The factors contributing to the success of expanding universal preschool
18 programs in the state and the potential unintended consequences impacting child
19 care providers, particularly family-based providers.
- 20 (m) The availability of a searchable database of child care providers, and
21 recommendations for improvement of the database.
- 22 (n) The availability of funds for child care infrastructure development.
- 23 (o) The creation of an office of early education within the department.
- 24 (p) Ways to address concerns identified by the council.
- 25 (q) Anything else the council deems necessary.

