



2024 Legislative Session Report

In February 2024, the Oregon Legislature convened for a short 32-day session. As a Governor-led executive branch agency, the Department of Early Learning and Care (DELIC) did not take a position on any legislative proposals. However, DELIC had a number of important budget items up for consideration, and the legislature made critical investments that support the agency's mission to foster coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. Following is a short summary of DELIC budget items and bills of interest.

DELIC Budget Items

House Bill 5204 – Allocations Bill

[House Bill 5204](#) is an omnibus budget bill that includes budgetary actions associated with House Bill 4002 (the "Measure 110 bill") as well as other investments centered around the recriminalization of possession of a controlled substance, establishment of deflection programs to be operated by local governments, and enhancements for behavioral health programs. Section 3 of the bill increases the current 2023-2025 General Fund investment for Relief Nurseries by \$2.7 million. Relief Nurseries provide therapeutic and family support services to families with children from birth through age five.

Effective Date: When the Governor signs.

Senate Bill 5701 – "Christmas Tree" Budget Reconciliation Bill

[Senate Bill 5701](#) is the 2024 omnibus budget reconciliation or "Christmas Tree Bill." This is the name for the budget bill that the Oregon Legislature uses at the end of every session to allocate remaining funds and balance the state budget. Senate Bill 5701 includes a number of investments in DELIC.

- **Employment Related Day Care (ERDC).** In total, DELIC received an additional \$99.2 million for the ERDC program in its 2023-2025 budget. The legislature also granted DELIC an additional \$72 million Special Purpose Appropriation for ERDC, which DELIC will have to request from the Emergency Board in order to access the funds. This critical investment in ERDC will assist with stabilizing the program and ensuring that families currently enrolled in the program can continue to receive subsidized child care through the end of the biennium.

- **Birth Through Five Literacy Plan.** The Legislature approved \$9.4 million to DELC for the Birth Through Five Literacy Plan created by HB 3198 (2023). The plan is intended to expand culturally specific early literacy programs for children from birth to age five, provide training and coaching for direct service staff in early literacy, and to develop and expand language revitalization efforts by federally recognized Indian Tribes in Oregon.
- **Child Care Licensing Division Staffing.** Prior to September 2022, DELC received approximately 1,500 Central Background Registry (CBR) applications per month. Since then, the agency consistently receives about 3,000 applications for enrollment each month. When the CBR backlog first began in Fall 2022, DELC leveraged one-time federal funds to double the capacity of the CBR team. To ensure quality service, timely processing of background checks, and prevent future backlogs in enrollment, the legislature approved \$1.4 million in additional funding and position authority to support the DELC background check unit.
- **ERDC Staffing and Communications.** In order to maintain the level of communication families need during, and after, a waitlist, DELC received money for a position and \$294,000 for printing and translation of communications materials. The agency also received three limited duration positions to handle the increased call volume and billings in the Direct Pay Unit, as well as \$250,000 for ONE system costs associated with refining and, eventually, closing the ERDC waitlist.
- **Oregon Prenatal to Kindergarten Fund Shift.** The bill includes a budget adjustment shifting \$5 million in Oregon Prenatal to Kindergarten funding off of General Fund on to Other Fund Early Learning Account dollars. The bill is limited to funding source changes and not result in program changes.
- **Personal Services Clean Up:** DELC received 80 new positions in the 2022 legislative session. When vacancy rates were frozen in April 2022, approximately 30% of the agency was vacant. As a result, DELC did not receive sufficient funding to hire all positions. SB 5701 increased the DELC operations budget by \$3.7 million to address this shortfall.

Effective Date: When the Governor signs.

Legislation of Interest

House Bill 4098 – CHIPS Child Care Fund

[House Bill 4098](#) establishes a new CHIPS Child Care Fund and appropriates \$5 million to the Oregon Business Development Department (OBDD) to build new child care and provide funding for those in construction apprenticeship programs to pay for child care. The measure will build off of current programs facilitated by DELC, including the OBDD Child Care Infrastructure Account and the Bureau of Labor and Industries (BOLI) Apprenticeship Related Child Care Program. The legislature approved \$366,245 for DELC's Direct Pay Unit and the Child Care Assistance Program to accommodate an anticipated workload increase associated with new child care slots added to the BOLI program. DELC will likely be asked to participate in a work group established under the bill for purposes of developing recommendations related to financial contributions by businesses that receive a CHIPS program grant or loan or federal assistance.

Effective Date: When the Governor signs.

House Bill 4086 – Scope of Child Abuse Investigations

[House Bill 4086](#) requires the Oregon Department of Human Services (ODHS) to commission studies through a private facilitator on the scope of child abuse investigations in Oregon and the state's response to children exhibiting problematic sexual behavior. The measure requires both studies to involve advisory committees and to submit reports to the legislature by September 2025. DELC is not specifically named in the study group related to child abuse investigations, but will likely contribute to the advisory committee for that study, as the group includes both child care providers and professionals who are licensed, certified or endorsed to provide services to children. DELC also conducts joint investigations with the ODHS Office of Training, Investigations and Safety (OTIS) and at times Child Protective Services, who are often critical to DELC's work on licensing and the Central Background Registry. If major changes are going to take place in how ODHS conducts child abuse investigations at a child care facility, it is important for DELC to have a voice at the table.

Effective Date: When the Governor signs.

House Bill 4122 – FBI Rap Back System

[House Bill 4122](#) establishes a new Rap Back program in the Oregon State Police (OSP) allowing authorized state and local government agencies to subscribe to the program and requiring employees or licensees of those agencies who are subject to fingerprint-based background checks to enroll in the program for the duration of their employment or licensure with the agency. This OSP Rap Back program will integrate with the federal Rap Back system maintained by the Federal Bureau of Investigation (FBI) and allow authorized agencies to receive real time notifications of Criminal History status updates (arrests and convictions) on individuals enrolled in the program. If DELC chooses to participate in the program, this would remove the requirement for program participants to be fingerprinted upon renewal of their Central Background Registry enrollment. The bill requires agencies that wish to subscribe to the program to submit an implementation plan to the legislature by December 31, 2024 outlining how they will ensure accessibility to the program, timelines for enrollment, plans for notification and education about the program, and projected costs. DELC may coordinate with OSP and perhaps other state agencies that conduct background checks in order to better understand the cost of participation and develop an implementation plan by the December 31 deadline.

Effective Date: 91 days following adjournment of the 2024 legislative session.

House Bill 4151 – Task Force on Youth Behavioral Health

[House Bill 4151](#) directs the System of Care Advisory Council to convene a subcommittee on the youth behavioral health workforce. The Early Learning System Director, or a designee of the director, will be on the subcommittee. Among other tasks, the subcommittee will identify state-issued professional authorization options for existing and emerging behavioral health professions and for determining the structures and supports needed to sustain the youth behavioral health workforce. The subcommittee will submit an initial report to the legislature by September 2024 and a final report by December 2025.

Effective Date: When the Governor signs.

Senate Bill 1532 – Immigrant Student Success Plan

[Senate Bill 1532](#) directs the Department of Education (ODE) to develop and implement a statewide education plan for students who are asylum seekers, refugees, or any other immigrant regardless of immigration status. ODE is required to form an advisory group including representation from DELC and other education groups. DELC will advise on the development and implementation of the plan, grant recipient eligibility criteria and expectations, and any rules to be adopted by the State Board of Education.

Effective Date: January 1, 2025

Senate Bill 1552 – Education Omnibus/Educator Advancement Council

Senate Bill 1552 contains a number of different education related initiatives and changes to current programs. Specifically, as part of the Educator Advancement Council, DELC is required to enter into an intergovernmental agreement with the Oregon Department of Education, the Teacher Standards and Practices Commission, and the Higher Education Coordinating Commission. Senate Bill 275 (2023) removed state agency names from the list of parties to the intergovernmental agreement, and this bill corrects that. This correction allows the Educator Advancement Council to make updates to the existing intergovernmental agreement with DELC and early learning professionals represented. Senate Bill 1552 also amended the previous definition of “educator” to include professionals working with students in early learning settings. This will allow for the Educator Advancement Council and its connected initiatives to better provide professional learning to those working with Oregon’s youngest children.

Effective Date: When the Governor signs.

Questions about this report?

Please contact Kate Denison, Government Affairs Manager: kate.denison@DELC.oregon.gov