
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

Bill No: AB 1914
Author: Schiavo
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Fiscal: Yes
Consultant: Peterson

GENERAL PLAN ELEMENTS: CHILDCARE

Requires cities and counties to adopt or integrate a childcare plan into the next adoption or revision of the general plan by January 1, 2033.

Background

The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public—including land use authority.

Planning and Zoning Law. State law provides additional powers and duties for cities and counties regarding land use. The Planning and Zoning Law requires every county and city to adopt a general plan that sets out planned uses for all of the area covered by the plan. A general plan must include specified mandatory “elements,” including a housing element that establishes the locations and densities of housing, and a land use element that describes the general categories of uses (such as multifamily residential, single family residential, retail commercial, and open space) that are allowed in specific portions of a jurisdiction. Cities’ and counties’ major land use decisions—including zoning ordinances and other aspects of development permitting—must be consistent with their general plans. General plans also include policies, standards, and mitigation measures that developments must comply with, to protect against flood hazards, fire hazards, and climate change, and to further environmental justice, among other state goals.

Local governments use their police power to enact zoning ordinances that establish the types of land uses that are allowed or authorized in an area. Zoning ordinances also contain provisions to physically shape development and impose other requirements, such as setting maximum heights and densities for housing units, minimum numbers of required parking spaces, setbacks, and lot coverage ratios. These ordinances can also include conditions on development to address aesthetics, community impacts, or other particular site-specific considerations.

Child day care facilities. The California Child Day Care Facilities Act governs the licensure, maintenance, and operation of child day care facilities in the state. This law and the associated regulations adopted by the California Department of Social Services’ (CDSS) establish, among other things, general health and safety requirements, staff-to-child ratios, and provider training requirements. The CDSS Community Care Licensing Division has the responsibility of licensing and monitoring the state’s child day care facilities.

There are different types of child day care facilities:

- Family daycare homes are operated in the licensee’s own home, which may be rented, leased, or owned, and are permitted to be in a mobile home park or an apartment. These homes provide non-medical care and supervision in a family-like setting with all the daily activities associated with home. Family daycare homes are further categorized into small (eight or fewer children) and large homes (as many as 14) based on the size of the childcare group and the ages of the children; and
- Child care centers are child day care facilities and may be part of a large childcare corporation or locally owned. They are usually located in commercial buildings, schools, religious facilities, public buildings, or private buildings. Centers can accommodate infants, toddlers, preschoolers, and school-age children. Separate licenses are required to care for infants, preschoolers, and school-age children, although a center may be licensed to care for all three age groups at one site. Depending on their age, children receive care in separate areas at the center for safety and activity reasons.

SB 234 (Skinner, 2019) made all family daycare homes a residential use of property and a use by right for purposes of all local ordinances and prohibited all family daycare homes from being subject to a business license, tax, or fee. AB 752 (Ávila Farías, 2025) made collocated daycare centers in multifamily housing developments a use by right, includes an exemption from CEQA, and prohibits local jurisdictions from charging taxes, fees, or business licenses on these types of facilities.

Despite recent efforts to expand childcare services, access issues remain. According to a recent policy brief by the UCLA Center for Health Policy Research:

“The 2023 California Health Interview Survey (CHIS) showed that less than half of young children ages 0–5 in California have regular child care arrangements. Young children who are Latinx or who are from low-income households are less likely to have regular child care. CHIS data also indicate that nearly 1 in 5 households with children ages 0–5 are not able to secure child care when they need it for a week or longer. These households report cost as the main reason they are unable to obtain child care. Moreover, the proportion of households that spend \$200 or more per week on child care has increased since 2019. These CHIS findings highlight critical gaps surrounding child care in California.”¹

To encourage consistent access to childcare across the state, the author wants to incorporate childcare into local government planning.

Proposed Law

Assembly Bill 1914 requires, no later than January 1, 2033, each city and county to prepare and adopt a childcare plan or integrate a childcare plan into the next adoption of their general plan. Under the measure, a childcare plan is a plan the city or county develops to address the childcare needs of the jurisdiction.

If a city or county has already adopted a similar childcare plan, it may designate that childcare plan to comply with the measure.

¹ <https://healthpolicy.ucla.edu/our-work/publications/child-care-households-with-children-0-5-years>

AB 1914 defines its terms, and makes findings and declarations to further its intent.

Comments

1. Purpose of the bill. According to the author, “As rising living costs and threats to cut funding from the federal government continue to create additional barriers to affordable child care, it is increasingly important to examine child care accessibility as communities plan for future growth and infrastructure needs. Instead of relying solely on ad hoc solutions to address child care accessibility, I believe AB 1914 is a promising strategy to promote greater consistency and consideration of child care in earlier stages of local planning, while preserving local discretion. Requiring local general plans to include child care is crucial because it supports economic development by enabling workforce participation, attracts families and talent, promotes healthier, family-friendly communities, and aligns land use with community needs, ensuring equitable access and reducing traffic by integrating child care facilities near homes, jobs, and transportation. As we saw from the fires in Los Angeles, it is also critical to include child care in disaster planning and climate adaptation and resilience strategies to ensure children are cared for before, during, and after disasters and to ensure they have access to safe, healthy learning environments. Child care is a critical resource for California families and requires comprehensive planning to ensure widespread access to high-quality, affordable options.”

2. No free lunch. AB 1914 adds to the many planning requirements that local agencies face. Local agencies will have to decide how to manage their workload to comply with AB 1914’s requirements. They could divert resources from other planning efforts. Alternatively, they could increase permit fees to increase planning staff. Regardless of what local agencies choose, there is a cost to increasing planning requirements. Supporters of the measure argue that the benefits outweigh the costs. If childcare does not factor into local planning, supporters argue that local agencies may miss opportunities to plan for childcare facilities near housing, employment centers, and transit corridors, or may unintentionally create barriers that limit the development of new childcare providers. It is unclear whether the costs to plan for childcare could be better spent on expanding actual childcare opportunities.

3. The train has left the station. AB 1914 requires local agencies to incorporate childcare into their planning efforts despite recent legislation that has bypassed local approvals to permit childcare facilities. SB 234 (Skinner, 2019) made all family daycare homes a residential use of property and a use by right for purposes of all local ordinances. Similarly, AB 752 (Ávila Farías, 2025) made collocated daycare centers in multifamily housing developments a use by right. Even if local agencies comply with AB 1914 and incorporate childcare into their planning documents, these recent streamlining bills may override some of these local planning efforts.

4. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because AB 1914 adds to the duties of local officials when planning for childcare, Legislative Counsel says the bill imposes a new state mandate. AB 1914 disclaims the state’s responsibility for providing reimbursement by citing local governments’ authority to charge for the costs of implementing the bill’s provisions.

5. Charter city. The California Constitution allows cities that adopt charters to control their own “municipal affairs.” In all other matters, charter cities must follow the general, statewide laws. Because the Constitution doesn’t define “municipal affairs,” the courts determine whether a topic is a municipal affair or whether it’s an issue of statewide concern. AB 1914 says that it applies to all cities, including charter cities. To support this assertion, the bill includes a legislative

finding and declaration that ensuring that all cities and counties adequately plan for childcare needs within their jurisdiction is a matter of statewide concern and is not a municipal affair.

6. Coming and going. The Senate Rules Committee has ordered a double referral of AB 1914: first to the Committee on Local Government to hear issues related to local planning, and second to the Committee on Human Services.

Assembly Actions

Assembly Committee on Local Government:	8-1
Assembly Committee on Human Services:	5-1
Assembly Committee on Appropriations:	10-2
Assembly Floor:	59-9

Support and Opposition (6/12/2026)

Support: CA Commission on the Status of Women and Girls (Sponsor)

Low Income Investment Fund (Sponsor)

Ellen Kamei, Councilmember, City of Mountain View

Eric Guerra, Councilmember, City of Sacramento

Lisa Gauthier, County Supervisor, San Mateo County

Pamela Campos, Councilmember, San Jose

Xouhoa Bowen, Councilmember, San Leandro

A Child's Place Intentional Learning & Emotional Informed Studio

Alameda County Office of Education

Build Up San Mateo County

California Child Care Resource and Referral Network

California Coalition for Community Investment (CCCI)

California Commission on the Status of Women and Girls

California State Pta

Cameo Network

CDC Small Business Finance

Child Action

Child Care Law Center

Child Care Providers United (CCPU)

Child Care Resource Center

Children Now

Consortium for Early Learning Services

Early Care and Education Consortium

Early Edge California

Eileen Monahan Consulting

Family Connections Centers

First 5 Association of California

Kidango

Kristen Anderson Consulting

Leap

Little Blossoms Childcare

Long Beach Day Nursery

Marin Child Care Council

Marin County Child Care Commission

Para Los Ninos
Parent Voices California
San Francisco Child Care Planning & Advisory Council
San Mateo County Child Care Partnership Council
Seeds of Tomorrow Preschool
Silicon Valley Community Foundation
Skyline College
Thriving Families CA Foundation

Opposition: City of LA Verne
City of Thousand Oaks
League of California Cities

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