Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
SB 1200 (Menjivar) – As Introduced February 19, 2026

Policy Committee: Human Services Vote: 7 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill defines “infant” for purposes of family childcare home licensing as a child under 18 months of age, rather than as a child under two years of age.

FISCAL EFFECT:

CDSS estimates General Fund costs of $3.68 million in the first year and $3.61 million annually ongoing for additional permanent staff positions for licensing and enforcement activities. These positions include:

1) 13 licensing program analysts located throughout the state’s regional offices to review child files and applications for capacity changes, provide technical support, and manage the potential increase in enrollment. Should this bill pass, CDSS anticipates an increase in the number of incidents involving infants. These positions would also help support comprehensive prevention and enforcement activities more effectively.

2) One supervisor and two analyst positions to strengthen preventative oversight and help maintain the availability and stability of family childcare homes statewide.

3) Two attorney positions to help update and revise forms, regulations, templates, training, inspection tools, data systems, and operational guidance. These positions would also support additional cases requiring consultations, hearing representation, and other legal support services, including responding to subpoenas and Public Records Act requests.

COMMENTS:

1) **Purpose.** This bill is supported by a broad coalition of childcare providers. According to the author:

> California is in a childcare crisis with parents of the youngest children having the hardest time acquiring childcare. Oftentimes this is attributed to lack of funding and while funding plays a key role so do our regulations. Our current regulations only allow family child care providers to care for up to four infants and our State’s misaligned definition of infant has left children on waitlists for childcare that will outlive us all. By redefining the age range for ‘infants’ in family child care homes to be developmentally accurate like 44 other states do, [this

bill] will allow providers to utilize their infant slots for children who are truly infants and their empty slots for children 18 months and older.

2) **Background.** CDSS is responsible for licensing family childcare homes. Existing law authorizes a small family daycare home to provide daycare for up to eight children, including infants, if certain conditions are met. Existing law authorizes a large family daycare home to provide daycare for up to 14 children, including infants, if certain conditions are met. Existing state regulations define "infant" for these purposes as a child under 2 years of age.

   State regulations provide a small family childcare home may care for, at any one time, a maximum of four infants; or six children, with no more than three infants; or more than six children, up to eight, if specified criteria are met.

   For a large family childcare home, state regulations provide the home may care for, at any one time, when there is an assistant provider in the home, a maximum of 12 children, with no more than four infants; or more than 12 children, up to 14, if certain criteria are met.

   In addition, a family childcare home must meet minimum adult-to-child ratios, which depend on the age of the child, who is classified as an infant (up to two years), school-age (enrolled in transitional kindergarten (TK), kindergarten, or elementary school or who is at least six years old) or toddler/preschooler (between two years and school age). Ratios are generally less stringent when older children are present. California's current regulations comply with or exceed the federal Administration of Children and Families' recommended adult-to-child ratios.

   Provider advocates assert the statewide shift to TK has left many family childcare home providers with chronically empty spaces, creating financial challenges for these providers. They note, because older children require less supervision than infants, providers cannot immediately shift to caring for younger children due to licensing requirements.

   This bill addresses this issue by reclassifying older infants – aged 18 to 24 months, as toddlers to allow this age group to fill vacant non-infant slots, thus freeing up "infant" slots for younger infants. Because "toddlers" require less supervision than "infants" under current regulations, this change allows a family childcare provider to fill vacant slots by accepting more children under the age of two without changing staffing ratios.

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