PRESS RELEASE

March 23, 2026
Ben Stein
bstein@policymattersohio.org
304-685-8354

Child care bills remain deeply flawed

HB 649 is misguided, expensive, and risks exposing kids' biometric data

HB 647 has improved but still needs work

In the face of opposition from child care providers, parents, and other advocates, policymakers have revised two troubling bills that would have increased state surveillance of children in child care facilities. Ahead of Tuesday's House Children and Human Services Committee meeting, where the bills will be discussed, Policy Matters Ohio Senior Project Coordinator Ali Smith released the following statement.

"Ohio policymakers should focus on strengthening access to child care for families and stabilizing a workforce that is already under extreme strain. It is important that Ohio policymakers and taxpayers remain confident in the transparency and efficacy of our publicly funded child care program, especially given the clear need for additional state investment. House Bills 649 and 647 take very different paths toward that goal. The former fails entirely, even with amendments; the latter was improved in committee but still raises serious concerns.

"We remain strongly opposed to H.B. 649 and urge the committee to vote no should the bill advance. The most recent version would require the daily use of facial recognition software on babies, toddlers, and young children for attendance verification in publicly funded child care. This proposal does not respond to the real challenges facing parents or providers, and it raises serious privacy, cost, and governance concerns.

"Facial recognition **does not address privacy and safety concerns** that parents, providers, and advocates have voiced since the introduction of the bill. Facial recognition requires photos of children to be captured, stored, and compared. For parents, biometric data about their child is among the most sensitive information imaginable, and many families are deeply uncomfortable with the state or vendors holding it.

"Facial recognition technology is also poorly suited to young children. Infants and toddlers change rapidly, meaning reference photos would need to be updated frequently. This creates new administrative burdens for providers and working parents, especially at drop off, which can already be a tense transition point in the day. It will cause even more frustration when the system inevitably fails. Anyone who has struggled to get a smartphone to recognize their own face in order to unlock understands this problem. Now imagine trying to do that with a sleeping infant in a car seat or a busy toddler eager to run into the classroom and hug their teacher.

Policy Matters Ohio is a nonprofit, nonpartisan state policy research institute with offices in Cleveland and Columbus.

“When the technology fails, the burden will not fall on a software vendor, the Department of Children and Youth, or the legislature. It will fall on providers who already lack sufficient technical assistance and staffing, and on parents who already struggle to access affordable care.

“H.B. 649 would also be **expensive for the state and providers**, diverting scarce public dollars and provider time away from care itself and toward unnecessary surveillance infrastructure, all in response to claims of widespread fraud that have not been substantiated.

“Finally, **the bill raises serious governance concerns by usurping local control**. By inserting the Ohio Attorney General into child care fraud investigations, H.B. 649 displaces the role of locally elected county prosecutors in a way that is not only inappropriate and undemocratic, but also inconsistent with Ohio’s long-standing system of local accountability.

“H.B. 649 creates new risks for families, new burdens for providers, and new costs for the state, without addressing the real challenges facing Ohio’s child care system. It should not advance.

“H.B. 647 has improved substantially and, with several targeted amendments, could move out of committee with bipartisan support. We recommend the following amendments:

“Remove the Attorney General’s role in child care fraud investigations. County prosecutors are locally elected, accountable to their communities, and best positioned to handle these matters, as clearly outlined in testimony from the Ohio County Prosecutors Association.

“Restore presumptive eligibility language in the statute. While presumptive eligibility still currently exists in DCY rules, statutory language ensures that the policy cannot be eliminated through administrative rule changes alone, particularly as the state faces likely budget shortfalls next year.

“We also suggest consideration of the following amendments:

“Direct DCY to **provide a report to the General Assembly by the end of 2026 that outlines and details suspected child care fraud and outcomes**, including referrals, investigations, and confirmed cases for fiscal year 2026. This will ensure an evidence-based understanding of the issue for the next General Assembly and governor.

“Direct DCY to address common backdating issues and unnecessary system flags by **convening a diverse working group of providers** for 4-6 months and reporting improvements back to the committee by the end of 2026. Some of the resources already allocated in the bill should be used to compensate providers for their time and for the tech support needed to fix platform issues that create unnecessary frustration and inefficiency.

With these amendments, H.B. 647 can strengthen program integrity without sacrificing privacy, access, or local accountability, and can move forward responsibly.