

By Representatives Healey and Greene

1                                   A bill to be entitled  
 2           An act relating to child care facilities;  
 3           amending s. 402.305, F.S.; deleting obsolete  
 4           provisions with respect to the licensure of  
 5           child care facilities; authorizing the  
 6           Department of Children and Family Services to  
 7           adopt different standards for child care  
 8           facilities that serve children of different  
 9           ages; providing for the department to adopt the  
 10          state public school building code for any child  
 11          care program operated in a public school  
 12          facility, regardless of the operator of the  
 13          program; providing an effective date.

14  
 15 Be It Enacted by the Legislature of the State of Florida:

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 17           Section 1. Subsections (1) and (5) of section 402.305,  
 18 Florida Statutes, are amended to read:

19           402.305 Licensing standards; child care facilities.--

20           (1) LICENSING STANDARDS.--The department ~~state~~ shall  
 21 establish licensing standards that each licensed child care  
 22 facility must meet regardless of the origin or source of the  
 23 fees used to operate the facility or the type of children  
 24 served by the facility.

25           ~~(a) Until October 1, 1992, a child care facility that~~  
 26 ~~holds a valid license must meet the licensing requirements in~~  
 27 ~~effect on July 1, 1991. Beginning October 1, 1992, all such~~  
 28 ~~facilities must comply with the licensing standards~~  
 29 ~~established in this section.~~

30           (a)~~(b)~~ The standards shall be designed to address the  
 31 following areas:

1           1. The health, sanitation, safety, and adequate  
2 physical surroundings for all children in child care.

3           2. The health and nutrition of all children in child  
4 care.

5           3. The child development needs of all children in  
6 child care.

7           ~~(b)(c)~~ All standards established under ss.  
8 402.301-402.319 must be consistent with the rules adopted by  
9 the State Fire Marshal for child care facilities. However, if  
10 the facility is operated in a public school, the department  
11 shall use the public school fire code, as provided in the  
12 rules of the Department of Education, as the minimum standard  
13 for firesafety.

14           ~~(c)(d)~~ The minimum standards for child care facilities  
15 shall be adopted in the rules of the department and shall  
16 address the areas delineated in this section. The department,  
17 in adopting rules to establish minimum standards for child  
18 care facilities, shall recognize that different age groups of  
19 children may require different standards. The department may  
20 adopt different minimum standards for facilities that serve  
21 children in different age groups, including school-age  
22 children.

23           (5) PHYSICAL FACILITIES.--Minimum standards shall  
24 include requirements for building conditions, indoor play  
25 space, outdoor play space, napping space, bathroom facilities,  
26 food preparation facilities, outdoor equipment, and indoor  
27 equipment. Because of the nature and duration of drop-in child  
28 care, outdoor play space and outdoor equipment shall not be  
29 required for licensure; however, if such play space and  
30 equipment are provided, then the minimum standards shall apply  
31 to drop-in child care. With respect to minimum standards for

