

By Senator Jones

13-164A-07

1 A bill to be entitled
 2 An act relating to the licensing and regulating
 3 of children's centers and family day care homes
 4 in Pinellas County; amending chapter 61-2681,
 5 Laws of Florida, as amended; redefining the
 6 terms "children's center" and "family day care
 7 homes"; authorizing the provision of child care
 8 for a period longer than otherwise authorized
 9 for a child whose parent or legal guardian
 10 works a shift of 24 hours or more; providing an
 11 effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Subsections (1), (5), and (6) of section 2
 16 of chapter 61-2681, Laws of Florida, as amended by section 1
 17 of chapter 70-893, Laws of Florida, are amended to read:

18 Section 2. Definitions.--

19 (1) A children's center includes any day nursery,
 20 nursery school, kindergarten, or other facility whatsoever
 21 which, with or without compensation, cares for five (5) or
 22 more children seventeen (17) years of age or under, not
 23 related to the operator by blood, marriage, or adoption, away
 24 from the child's own home ~~for from two (2) to twelve (12)~~
 25 ~~hours per day per child~~. This term shall not be construed to
 26 include any center under the jurisdiction of the state board
 27 of education or to include any nonpublic academic school
 28 except in regard to children below first grade level.

29 (5)~~(a)~~ A family day care home means a facility for
 30 child care in a place of residence of a family, person, or
 31 persons who receive no more than four (4) children under

1 | seventeen (17) years of age away from their own homes who are
2 | not related to such person or persons by blood, marriage, or
3 | adoption, for the purpose of providing family care and
4 | training for such children ~~for from two (2) to twelve (12)~~
5 | ~~hours per day~~. No more than three (3) of the four (4) children
6 | may be under two (2) years of age. This term shall not be
7 | construed to include children above first grade level except
8 | in homes where children below first grade level are also
9 | received for care.

10 | ~~(b) Under special circumstances, family day care homes~~
11 | ~~may be licensed to care for children twenty four (24) hours a~~
12 | ~~day. To fall under the administration of the license board,~~
13 | ~~these family day care homes may not receive children from any~~
14 | ~~licensed child placing agencies. These family day care homes~~
15 | ~~shall meet the same minimum standards established by the state~~
16 | ~~welfare board for the care of children under seventeen (17)~~
17 | ~~years of age being cared for away from their own parents or~~
18 | ~~guardians, except where the requirements are in conflict with~~
19 | ~~this law or changed as provided herein.~~

20 | (6) Children's centers licensed hereunder shall not
21 | provide ~~provided~~ regular overnight care for children.

22 | (a) Overnight care on New Year's Eve and other similar
23 | occasions to be specified by the license board for a number
24 | not in excess of the total enrollment authorized on its
25 | license is permissive, subject to the determination by the
26 | license board that such overnight care is reasonable under the
27 | circumstances.

28 | (b) In addition, child care may be provided for 24
29 | hours or longer for a child whose parent or legal guardian
30 | works a shift of 24 hours or more. The requirement that a
31 | parent or legal guardian work a shift of 24 hours or more must

1 be certified in writing by the employer, and the written
2 certification must be maintained in the facility by the child
3 care provider and made available to the license board and the
4 state child care licensing agency. The time that a child
5 remains in child care, however, may not exceed 72 consecutive
6 hours in any 7-day period. During a declared state of
7 emergency, the license board or the state child care licensing
8 agency may temporarily waive the time limitations provided in
9 this paragraph.

10 Section 2. This act shall take effect upon becoming a
11 law.

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