

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

10

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

12

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

16 Section 2. Definitions.--

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

27 (5)~~(a)~~ A family day care home means a facility for child
 28 care in a place of residence of a family, person, or persons who

HB 781

2007

29 receive no more than four (4) children under seventeen (17)
30 years of age away from their own homes who are not related to
31 such person or persons by blood, marriage, or adoption, for the
32 purpose of providing family care and training for such children
33 ~~for from two (2) to twelve (12) hours per day.~~ No more than
34 three (3) of the four (4) children may be under two (2) years of
35 age. This term shall not be construed to include children above
36 first grade level except in homes where children below first
37 grade level are also received for care.

38 ~~(b) Under special circumstances, family day care homes may~~
39 ~~be licensed to care for children twenty four (24) hours a day.~~
40 ~~To fall under the administration of the license board, these~~
41 ~~family day care homes may not receive children from any licensed~~
42 ~~child placing agencies. These family day care homes shall meet~~
43 ~~the same minimum standards established by the state welfare~~
44 ~~board for the care of children under seventeen (17) years of age~~
45 ~~being cared for away from their own parents or guardians, except~~
46 ~~where the requirements are in conflict with this law or changed~~
47 ~~as provided herein.~~

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

50 (a) Overnight care on New Year's Eve and other similar
51 occasions to be specified by the license board for a number not
52 in excess of the total enrollment authorized on its license is
53 permissive, subject to the determination by the license board
54 that such overnight care is reasonable under the circumstances.

55 (b) In addition, child care may be provided for 24 hours
56 or longer for a child whose parent or legal guardian works a

HB 781

2007

57 shift of 24 hours or more. The requirement that a parent or
58 legal guardian work a shift of 24 hours or more must be
59 certified in writing by the employer, and the written
60 certification must be maintained in the facility by the child
61 care provider and made available to the license board and the
62 state child care licensing agency. The time that a child remains
63 in child care, however, may not exceed 72 consecutive hours in
64 any 7-day period. During a declared state of emergency, the
65 license board or the state child care licensing agency may
66 temporarily waive the time limitations provided in this
67 paragraph.

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