

ENROLLED
CS/HB 781

2007 Legislature

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.

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

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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

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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) Child care may be provided for 24 hours or longer for
39 a child whose parent or legal guardian works a shift of 24 hours
40 or more. The requirement that a parent or legal guardian work a
41 shift of 24 hours or more must be certified in writing by the
42 employer, and the written certification must be maintained in
43 the facility by the child care provider and made available to
44 the license board and the state child care licensing agency. The
45 time that a child remains in child care, however, may not exceed
46 72 consecutive hours in any 7-day period. During a declared
47 state of emergency, the license board or the state child care
48 licensing agency may temporarily waive the time limitations
49 provided in this paragraph. ~~Under special circumstances, family~~
50 ~~day care homes may be licensed to care for children twenty four~~
51 ~~(24) hours a day. To fall under the administration of the~~
52 ~~license board, these family day care homes may not receive~~
53 ~~children from any licensed child placing agencies. These family~~
54 ~~day care homes shall meet the same minimum standards established~~
55 ~~by the state welfare board for the care of children under~~
56 ~~seventeen (17) years of age being cared for away from their own~~

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57 ~~parents or guardians, except where the requirements are in~~
58 ~~conflict with this law or changed as provided herein.~~

59 (6) Children's centers licensed hereunder shall not
60 provide ~~provided~~ regular overnight care for children. Overnight
61 care on New Year's Eve and other similar occasions to be
62 specified by the license board for a number not in excess of the
63 total enrollment authorized on its license is permissive,
64 subject to the determination by the license board that such
65 overnight care is reasonable under the circumstances.

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