

By the Committee on Judiciary; and Senator Garcia

590-03246A-10

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1 A bill to be entitled
2 An act relating to licensing standards for child care
3 facilities; providing a short title; amending s.
4 402.305, F.S.; providing minimum licensing
5 requirements for window blinds and other window
6 coverings; requiring child care facilities to retrofit
7 window blinds, window coverings, pull cords, or inner
8 cords by a specified date in order to eliminate cords
9 that pose a risk of strangulation; providing a
10 definition; authorizing the Department of Children and
11 Family Services to provide certain information
12 regarding window blinds and window coverings;
13 providing an effective date.

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

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17 Section 1. This act may be cited as the "John F. Serrano,
18 Rachel Lou Napier, and Alexandra Ali Safety and Accountability
19 Act."

20 Section 2. Subsection (5) of section 402.305, Florida
21 Statutes, is amended to read:

22 402.305 Licensing standards; child care facilities.—

23 (5) PHYSICAL FACILITIES.—Minimum standards shall include
24 requirements for building conditions, indoor play space, outdoor
25 play space, napping space, bathroom facilities, food preparation
26 facilities, outdoor equipment, and indoor equipment.

27 (a) 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

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30 equipment are provided, then the minimum standards shall apply
31 to drop-in child care. With respect to minimum standards for
32 physical facilities of a child care program for school-age
33 children which is operated in a public school facility, the
34 department shall adopt the State Uniform Building Code for
35 Public Educational Facilities Construction as the minimum
36 standards, regardless of the operator of the program. The
37 Legislature intends that if a child care program for school-age
38 children is operated in a public school, the program need not
39 conform to standards for physical facilities other than the
40 standards adopted by the Commissioner of Education.

41 (b) Minimum requirements for licensure of a child care
42 facility shall prohibit the use or installation of window blinds
43 or other window coverings that have long dangling cords, pull
44 cords, or inner cords capable of forming a loop and which
45 thereby pose a risk of strangulation to young children. Window
46 blinds and other window coverings that have been manufactured or
47 properly retrofitted in a manner that eliminates long dangling
48 cords, pull cords, inner cords, or the formation of loops that
49 pose a risk of strangulation are not prohibited under this
50 subsection. Cordless window blinds are recommended and are in
51 compliance with this subsection.

52 1. When developing and periodically reviewing minimum
53 licensing requirements related to the safety and installation of
54 window blinds and other window coverings in child care
55 facilities, the department shall review and take into
56 consideration the recommendations of the United States Consumer
57 Product Safety Commission.

58 2. Child care facilities must properly retrofit existing

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59 window blinds, window coverings, pull cords, or inner cords in
60 accordance with this paragraph by January 1, 2011. For purposes
61 of this subparagraph, "properly retrofit" means to modify in a
62 manner that eliminates long dangling cords or the formation of
63 inner or outer cord loops that pose a risk of child
64 strangulation.

65 3. The department may provide information regarding
66 reduced-cost or no-cost options for retrofitting or replacing
67 unsafe window blinds and window coverings.

68 Section 3. This act shall take effect July 1, 2010.