

By the Committees on Health and Human Services Appropriations;  
and Judiciary; and Senator Garcia

603-04847-10

20101234c2

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          authorizing the department to adopt rules; providing  
14          an effective date.

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

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

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

23           402.305 Licensing standards; child care facilities.—

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

28           (a) Because of the nature and duration of drop-in child  
29 care, outdoor play space and outdoor equipment shall not be

603-04847-10

20101234c2

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

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

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

603-04847-10

20101234c2

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

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

69       4. The department shall adopt rules to administer these  
70 requirements.

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