

By Senator Justice

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1 A bill to be entitled

2 An act relating to Pinellas County; amending chapter
3 61-2681, Laws of Florida, as amended; redefining the
4 term "family day care home" and defining the terms
5 "large family child care home" and "household
6 children"; revising and providing requirements for
7 licensing and regulating such homes; providing an
8 effective date.

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

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12 Section 1. Subsection (5) of section 2 of chapter 61-2681,
13 Laws of Florida, as amended by chapters 70-893 and 2007-277,
14 Laws of Florida, is amended to read:

15 Section 2. Definitions; capacity and time limitations.-

16 (5) (a) A "family child care home" or "family day care home"
17 means an occupied a facility for child care in a place of
18 residence in which child care and training are regularly
19 provided for children from at least two unrelated households,
20 with or without compensation. A family child care home shall be
21 allowed to provide care for one of the following groups of
22 children, which shall include in their overall capacity the
23 preschool household children, whether present or not, and
24 school-aged household children under 13 years of age, when
25 present:

26 1. When three children from birth to 12 months of age are
27 in care, no more than two additional children 2 years of age or
28 older may be in care, except when a provider has proof of
29 completion of an approved training course, in which case the two

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30 additional children must be 18 months of age or older, which
31 includes preschool household children, whether present or not,
32 for a total of five children in care, plus additional school-
33 aged household children, when present, for a total capacity of
34 up to six children.

35 2. When two children from birth to 12 months of age are in
36 care, no more than three additional children may be in care and
37 no more than one of those children may be between 12 and 24
38 months of age. The remaining children must be 2 years of age or
39 older, except when a provider has proof of completion of an
40 approved training course, in which case the two additional
41 children must be 18 months of age or older, which includes
42 preschool household children, whether present or not, for a
43 total of five children in care, plus additional school-aged
44 household children, when present, for a total capacity of up to
45 ten children of a family, person, or persons who receive no more
46 than four (4) children under seventeen (17) years of age away
47 from their own homes who are not related to such person or
48 persons by blood, marriage, or adoption, for the purpose of
49 providing family care and training for such children. No more
50 than three (3) of the four (4) children may be under two (2)
51 years of age. This term shall not be construed to include
52 children above first grade level except in homes where children
53 below first grade level are also received for care.

54 (b) A "large family child care home" means an occupied
55 place of residence of a family, person, or persons who regularly
56 provide child care for children from at least two unrelated
57 households, with or without compensation, which has at least two
58 full-time child care employees on the premises during the hours

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59 of operation. One of the two full-time child care employees must
60 be the provider or the provider's substitute. In order to
61 qualify for licensure as a large family child care home, the
62 home must first have operated as a licensed family day care home
63 for 2 consecutive years in Pinellas County, with a provider who
64 has had a child development associate credential or its
65 equivalent for 1 year. A large family child care home may
66 provide care for one of the following groups of children, which
67 include household children under 13 years of age:

68 1. A maximum of eight children from birth to 24 months of
69 age; or

70 2. A maximum of twelve children, with no more than four
71 children under 24 months of age.

72
73 A large family child care home must meet and comply with all
74 standards of this paragraph unless there is an insufficient
75 number of children in care to meet the definition of a large
76 family child care home, in which case an additional employee is
77 not required.

78 (c) "Household children" means children who reside in the
79 home and are related by blood, marriage, or legal adoption to,
80 or who are the legal wards of, an adult household member who
81 meets the level 2 screening requirements as provided in s.
82 435.04, Florida Statutes. Supervision of the provider's
83 household children shall be left to the discretion of the
84 provider unless those children receive subsidized child care to
85 be in the home.

86 (d) ~~(b)~~ Child care may be provided for 24 hours or longer
87 for a child whose parent or legal guardian works a shift of 24

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88 hours or more. The requirement that a parent or legal guardian
89 work a shift of 24 hours or more must be certified in writing by
90 the employer, and the written certification must be maintained
91 in the facility by the child care provider and made available to
92 the license board and the state child care licensing agency. The
93 time that a child remains in child care, however, may not exceed
94 72 consecutive hours in any 7-day period. During a declared
95 state of emergency, the license board or the state child care
96 licensing agency may temporarily waive the time limitations
97 provided in this paragraph.

98 Section 2. This act shall take effect July 1, 2010.