

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

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

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

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

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

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

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

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

53 (b) A "large family child care home" means an occupied
54 place of residence of a family, person, or persons who regularly
55 provide child care for children from at least two unrelated
56 households, with or without compensation, which has at least two

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

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

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

71
72 A large family child care home must meet and comply with all
73 standards of this paragraph unless there is an insufficient
74 number of children in care to meet the definition of a large
75 family child care home, in which case an additional employee is
76 not required.

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

84 (d) ~~(b)~~ Child care may be provided for 24 hours or longer

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

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