

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 term "large family  
 5           child care home"; revising and providing requirements for  
 6           licensing and regulating such homes; providing an  
 7           effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 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 is regularly provided for children  
 18           from at least two unrelated households, with or without  
 19           compensation. A family child care home shall be allowed to  
 20           provide care for one of the following groups of children, which  
 21           shall include household preschool-aged children, whether present  
 22           or not, and household school-aged children under 13 years of  
 23           age, when on the premises of the family child care home or on a  
 24           field trip with children enrolled in care:

25                   1. A maximum of six children, if no more than three of  
 26                   those children are under 18 months of age.

27                   2. A maximum of eight children, if no more than five of  
 28                   those children are preschool aged, and of those five, no more

HB 1049

2011

29 than three are under 18 months of age, and of those three, no  
30 more than two are under 12 months of age ~~of a family, person, or~~  
31 ~~persons who receive no more than four (4) children under~~  
32 ~~seventeen (17) years of age away from their own homes who are~~  
33 ~~not related to such person or persons by blood, marriage, or~~  
34 ~~adoption, for the purpose of providing family care and training~~  
35 ~~for such children. No more than three (3) of the four (4)~~  
36 ~~children may be under two (2) years of age. This term shall not~~  
37 ~~be construed to include children above first grade level except~~  
38 ~~in homes where children below first grade level are also~~  
39 ~~received for care.~~

40 (b) A "large family child care home" means a home that is  
41 licensed under section 402.3131, Florida Statutes. A "large  
42 family child care home" means an occupied residence in which  
43 child care is regularly provided for children, with or without  
44 compensation, from at least two unrelated households and which  
45 has at least two full-time child care personnel on the premises  
46 during the hours of operation. One of the two full-time child  
47 care personnel must be the operator or the operator's  
48 substitute. A large family child care home must first have  
49 operated as a licensed family child care home for 2 consecutive  
50 years, with an operator who has had a child development  
51 associate credential or its equivalent for 1 year, before  
52 seeking licensure as a large family child care home. The 2  
53 consecutive years of operation as a licensed family child care  
54 home must have been in this state and within 5 years before the  
55 date of application to operate a large family child care home. A  
56 large family child care home shall be allowed to provide care

HB 1049

2011

57 for one of the following groups of children, which shall include  
58 those children under 13 years of age who are related to the  
59 caregiver:

60 1. A maximum of eight children from birth to 24 months of  
61 age.

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

64  
65 A large family child care home must meet and comply with this  
66 paragraph at all times unless there is an insufficient number of  
67 children in care to meet the definition of a large family child  
68 care home, in which case additional personnel are not required.

69 (c)-(b) Child care may be provided for 24 hours or longer  
70 for a child whose parent or legal guardian works a shift of 24  
71 hours or more. The requirement that a parent or legal guardian  
72 work a shift of 24 hours or more must be certified in writing by  
73 the employer, and the written certification must be maintained  
74 in the facility by the child care provider and made available to  
75 the license board and the state child care licensing agency. The  
76 time that a child remains in child care, however, may not exceed  
77 72 consecutive hours in any 7-day period. During a declared  
78 state of emergency, the license board or the state child care  
79 licensing agency may temporarily waive the time limitations  
80 provided in this paragraph.

81 Section 2. This act shall take effect July 1, 2011.