

1 A bill to be entitled
 2 An act relating to care of children; amending s.
 3 402.301, F.S.; exempting certain membership
 4 organizations from licensing requirements and minimum
 5 standards for child care facilities; providing
 6 screening requirements for organization employees
 7 under certain circumstances; amending s. 402.302,
 8 F.S.; excluding certain membership organizations from
 9 the definition of the term "child care facility";
 10 providing an effective date.

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

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 14 Section 1. Subsection (6) of section 402.301, Florida
 15 Statutes, is amended to read:

16 402.301 Child care facilities; legislative intent and
 17 declaration of purpose and policy.—It is the legislative intent
 18 to protect the health, safety, and well-being of the children of
 19 the state and to promote their emotional and intellectual
 20 development and care. Toward that end:

21 (6) It is further the intent of the Legislature that
 22 membership organizations affiliated with national organizations
 23 which do not provide child care as defined in s. 402.302, whose
 24 primary purpose is to provide ~~providing~~ activities that
 25 contribute to the development of good character, after-school
 26 programs, and delinquency prevention programs, and which are

27 operated at least 5 days a week, are facility-based or school-
 28 based, or good sportsmanship or to the education or cultural
 29 development of minors in this state, which charge only a nominal
 30 annual membership fee or no fee, ~~which~~ are not for profit, and
 31 ~~which~~ are certified by their national organizations ~~associations~~
 32 as being in compliance with the national organization's
 33 ~~association's~~ minimum standards and procedures are ~~shall~~ not be
 34 considered child care facilities and, therefore, are not subject
 35 to the licensing requirements or the minimum standards for child
 36 care facilities. Such membership organizations shall, upon
 37 request, provide the department with proof of one level 2
 38 background screening per screened employee and, after full
 39 implementation of the Care Provider Background Screening
 40 Clearinghouse by all state agencies requiring background
 41 screening of employees, shall comply with ss. 435.04 and 435.12
 42 ~~their personnel shall not be required to be screened.~~

43 Section 2. Subsection (2) of section 402.302, Florida
 44 Statutes, is amended to read:

45 402.302 Definitions.—As used in this chapter, the term:

46 (2) "Child care facility" includes any child care center
 47 or child care arrangement which provides child care for more
 48 than five children unrelated to the operator and which receives
 49 a payment, fee, or grant for any of the children receiving care,
 50 wherever operated, and whether or not operated for profit. The
 51 following are not included:

52 (a) Public schools and nonpublic schools and their

53 integral programs, except as provided in s. 402.3025.~~†~~

54 (b) Summer camps having children in full-time residence.~~†~~

55 (c) Summer day camps.~~†~~

56 (d) Bible schools normally conducted during vacation
57 periods.~~†~~ and

58 (e) Operators of transient establishments, as defined in
59 chapter 509, which provide child care services solely for the
60 guests of their establishment or resort, provided that all child
61 care personnel of the establishment are screened according to
62 the level 2 screening requirements of chapter 435.

63 (f) Membership organizations whose primary purpose is to
64 provide activities that contribute to the development of good
65 character, after-school programs, and delinquency prevention
66 programs and which are operated at least 5 days a week, are
67 facility-based or school-based, are not for profit, and are
68 certified by their national organizations as being in compliance
69 with the national organization's minimum standards and
70 procedures.

71 Section 3. This act shall take effect July 1, 2015.