

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 493

6 By: Monson of the Senate
7 and
8 Seikel of the House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to children; amending 10 O.S. 1991,
12 Section 402, as last amended by Section 15, Chapter
13 414, O.S.L. 1998 (10 O.S. Supp. 1998, Section 402),
14 which relates to child care facilities licensing;
15 clarifying, modifying and adding definitions; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 10 O.S. 1991, Section 402, as last
19 amended by Section 15, Chapter 414, O.S.L. 1998 (10 O.S. Supp. 1998,
20 Section 402), is amended to read as follows:

21 Section 402. As used in the Oklahoma Child Care Facilities
22 Licensing Act:

23 1. "Child" or "minor" means any person who has not attained the
24 age of eighteen (18) years;

25 2. "Child care facility" means any public or private
26 residential facility, child placing agency, foster family home,
27 group home, ~~day~~ child care center, part-day child care program, ~~or~~
28 family ~~day~~ child care home, or large family child care home
29 providing either full-time or part-time care for children away from
30 their own homes, ~~and which is owned or controlled by a political~~
31 ~~subdivision, a corporation, an unincorporated organization or~~
32 ~~association, or individual~~ but shall not mean a community

1 intervention center or a juvenile intervention center administered
2 by the Office of Juvenile Affairs;

3 3. "Child placing agency" means a child welfare agency licensed
4 to place children in foster family homes, group homes or adoptive
5 homes;

6 4. "Full-time care" means continuous care given to a child
7 beyond a minimum period of twenty-four (24) hours;

8 5. "Foster family home" means ~~a family home, other than the~~
9 ~~home of a parent, stepparent, grandparent, brother, sister, uncle,~~
10 ~~or aunt, which provides full-time care for five or fewer children~~
11 the private residence of a family which provides foster care
12 services to a child. Such term shall include a foster family home,
13 a specialized foster home, a therapeutic foster family home, or a
14 kinship care home;

15 6. "Foster parent eligibility assessment" includes a criminal
16 background investigation, including, but not limited to, a national
17 criminal history records search based upon the submission of
18 fingerprints, a home assessments assessment, and any other
19 assessment required by the Department of Human Services, the
20 Department of Juvenile Justice, or any child-placing agency pursuant
21 to the provisions of the Oklahoma Foster Care and Out-of-Home
22 Placement Act. A foster parent eligibility assessment shall be
23 similar to the procedures used by the Oklahoma Department of Public
24 Safety for determining suitability of an individual for employment
25 as a highway patrol officer;

26 7. "Group ~~homes~~ home" means ~~homes~~ a home providing full-time
27 care and community-based services for more than five, ~~children~~ but
28 ~~less~~ fewer than thirteen children, but shall not mean a community
29 intervention center or a juvenile intervention center administered
30 by the Office of Juvenile Affairs;

31 8. "~~Day care~~" means ~~the provision of care and supervision of a~~
32 ~~child who resides in its own home or with relatives but is in the~~

1 ~~care of another person for part of the day who is conducting a~~
2 ~~family day care home or persons conducting a day care center;~~

3 9. "Family ~~day~~ child care home" means a ~~licensed or approved~~
4 family home which provides care and ~~protection~~ supervision for seven
5 or fewer children for part of the twenty-four-hour day. The term
6 "family ~~day~~ child care home" shall not include informal arrangements
7 which parents make independently with neighbors, friends, and
8 others, or with caretakers in the child's own home;

9 9. "Large family child care home" means a residential family
10 home which provides care and supervision for eight to twelve
11 children for part of the twenty-four-hour day, but shall not mean a
12 community intervention center or a juvenile intervention center
13 administered by the Office of Juvenile Affairs;

14 10. "Day Child care center" means a ~~licensed or approved~~
15 facility which provides care and supervision for ~~eight or more~~
16 children and which operates for more than thirty (30) hours per
17 week. The term "~~day~~ child care center" shall not include informal
18 arrangements which parents make independently with neighbors,
19 friends, and others, or with caretakers in the child's own home;

20 11. "Part-day child care program" means a ~~licensed~~ facility
21 which provides care and supervision for ~~eight or more~~ children and
22 which operates for more than fifteen (15) ~~but less than~~ and up to
23 thirty (30) hours per week;

24 12. "Department" means the Department of Human Services;

25 13. "Commission" means the Commission for Human Services, the
26 policy-making and general supervisory body of the Department; and

27 14. "Division" means the division of the Department of Human
28 Services of the State of Oklahoma assigned responsibilities pursuant
29 to the provisions of the Oklahoma Child Care Facilities Licensing
30 Act.

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1 SECTION 2. This act shall become effective November 1, 1999.

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