

1 THE STATE SENATE  
2 Tuesday, February 23, 1999

3 Senate Bill No. 493

4 SENATE BILL NO. 493 - By: MONSON of the Senate and SEIKEL of the  
5 House.

6 An Act relating to children; amending 10 O.S. 1991, Section  
7 402, as last amended by Section 15, Chapter 414, O.S.L. 1998  
8 (10 O.S. Supp. 1998, Section 402), which relates to child  
9 care facilities licensing; clarifying, modifying and adding  
10 definitions; and providing an effective date.

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

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

15 Section 402. As used in the Oklahoma Child Care Facilities  
16 Licensing Act:

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

19 2. "Child care facility" means any public or private  
20 residential facility, child placing agency, foster family home,  
21 group home, ~~day~~ child care center, part-day child care program, ~~or~~  
22 family ~~day~~ child care home, or large family child care home  
23 providing either full-time or part-time care for children away from  
24 their own homes, ~~and which is owned or controlled by a political~~  
25 ~~subdivision, a corporation, an unincorporated organization or~~  
26 ~~association, or individual;~~

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

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

6        5. "Foster family home" means a family home, other than the  
7 home of a parent, stepparent, grandparent, brother, sister, uncle,  
8 or aunt, which provides full-time care for five or fewer children;

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

20        7. "Group ~~homes~~ home" means ~~homes~~ a home providing full-time  
21 care and community-based services for more than five, children but  
22 ~~less~~ fewer than thirteen children;

1       8. ~~"Day care" means the provision of care and supervision of a~~  
2 ~~child who resides in its own home or with relatives but is in the~~  
3 ~~care of another person for part of the day who is conducting a~~  
4 ~~family day care home or persons conducting a day care center;~~

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

11       9. "Large family child care home" means a residential family  
12 home which provides care and supervision for eight to twelve  
13 children for part of the twenty-four-hour day;

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 thirty (30)  
23 hours per week;

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

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

4           14. "Division" means the division of the Department of Human  
5 Services of the State of Oklahoma assigned responsibilities pursuant  
6 to the provisions of the Oklahoma Child Care Facilities Licensing  
7 Act.

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

9           COMMITTEE REPORT BY: COMMITTEE ON HUMAN RESOURCES, dated 2-4-99 - DO  
10          PASS, As Coauthored.