

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1729

By: Calvey

AS INTRODUCED

An Act relating to children; amending 10 O.S. 1991, Section 403, as last amended by Section 3, Chapter 386, O.S.L. 1998 (10 O.S. Supp. 1998, Section 403), which relates to the Oklahoma Child Care Facilities Licensing Act; defining the term "typical school hours"; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 403, as last amended by Section 3, Chapter 386, O.S.L. 1998 (10 O.S. Supp. 1998, Section 403), is amended to read as follows:

Section 403. A. The provisions of the Oklahoma Child Care Facilities Licensing Act shall not apply to:

1. Care provided in the child's own home or by relatives;
2. Informal arrangements which parents make with friends or neighbors for the occasional care of their children;
3. Programs in which school-aged children are participating in home-schooling;
4. Programs operated during typical school hours by a public school district. For purposes of this paragraph, "typical school hours" means a school day beginning no earlier than 8:00 a.m. and ending no later than 5:00 p.m.;
5. Programs operated during typical school hours by a private school that offers elementary education in grades kindergarten through third grade. For purposes of this paragraph, "typical school hours" means a school day beginning no earlier than 8:00 a.m. and ending no later than 5:00 p.m.;

6. Summer youth camps for children at least five (5) years of age that are accredited by the American Camping Association or other national standard-setting agency or church camp accreditation program;

7. Programs in which children attend on a drop-in basis and parents are on the premises and readily accessible;

8. A program of specialized activity or instruction for children that is not designed or intended for child care purposes including, but not limited to, scouts, 4-H clubs and summer resident youth camps, and single-activity programs such as academics, athletics, gymnastics, hobbies, art, music, dance and craft instruction;

9. Nursery schools, kindergartens or other facilities whose purpose is primarily educational, recreational or medical and which operate part-day child care programs which provide care and supervision for eight (8) or more children for fifteen (15) or less hours per week;

10. Facilities whose primary purpose is medical treatment; or

11. Day treatment programs and maternity homes operated by a licensed hospital.

B. 1. The provisions of the Oklahoma Child Care Facilities Licensing Act, shall be equally incumbent upon all private and public child care facilities.

2. Any institution furnishing full-time care for children for ten (10) years prior to the effective date of this act shall, upon written notification to the Department of Human Services, be exempted from the provisions of the Oklahoma Child Care Facilities Licensing Act, if it is not receiving any state or federal funds for furnishing food, clothing, shelter, or upkeep for such children.

3. Any institution being operated by a war veterans' organization and furnishing full-time care for children on the effective date of this act shall be exempted from the provisions of

the Oklahoma Child Care Facilities Licensing Act, regardless of whether it is receiving state or federal funds.

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

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