

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1820

By: Martin (Steve)

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5
6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2001,
8 Section 403, as amended by Section 1, Chapter 187,
9 O.S.L. 2004 (10 O.S. Supp. 2008, Section 403), which
10 relates to exemptions from the Oklahoma Child Care
11 Facilities Licensing Act; adding an exemption for
12 certain before and after school programs offered by
13 public schools; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 10 O.S. 2001, Section 403, as
16 amended by Section 1, Chapter 187, O.S.L. 2004 (10 O.S. Supp. 2008,
17 Section 403), is amended to read as follows:

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

- 20 1. Care provided in a child's own home or by relatives;
- 21 2. Informal arrangements which parents make with friends or
22 neighbors for the occasional care of their children;
- 23 3. Programs in which school-aged children are participating in
24 home-schooling;

1 4. Programs that serve children three (3) years of age and
2 older and that are operated during typical school hours by a public
3 school district;

4 5. Programs that serve children four (4) years of age and older
5 and that are operated before and after typical school hours by a
6 public school district in the same facility in which
7 prekindergarten, kindergarten or elementary grades are provided;

8 6. Programs that serve children three (3) years of age and
9 older and that are operated during typical school hours by a private
10 school that offers elementary education in grades kindergarten
11 through third grade;

12 ~~6.~~ 7. Summer youth camps for children who are at least five (5)
13 years of age, that are accredited by a national standard-setting
14 agency or church camp accreditation program;

15 ~~7.~~ 8. Programs in which children attend on a drop-in basis and
16 parents are on the premises and readily accessible;

17 ~~8.~~ 9. A program of specialized activity or instruction for
18 children that is not designed or intended for child care purposes
19 including, but not limited to, scouts, 4-H clubs and summer resident
20 youth camps, and single-activity programs such as academics,
21 athletics, gymnastics, hobbies, art, music, dance and craft
22 instruction;

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1 ~~9.~~ 10. Preschools, kindergartens, mother's day out or other
2 facilities that provide care and supervision for fifteen (15) or
3 fewer hours per week;

4 ~~10.~~ 11. Facilities whose primary purpose is medical treatment;

5 ~~11.~~ 12. Boarding schools that have education as their primary
6 purpose and that are recognized as accredited by the State Board of
7 Education. To be exempt, such programs shall:

8 a. have classroom facilities that are not used for
9 residential living,

10 b. not have been granted nor have assumed legal custody
11 of any child attending the facility, and

12 c. adhere to standard educational holiday and seasonal
13 recess periods to permit students reasonable
14 opportunities to return to their primary places of
15 residence with parents or legal guardians.

16 For purposes of this act, the Oklahoma School of Science and
17 Mathematics shall be considered a boarding school and as such shall
18 be exempt from licensure;

19 ~~12.~~ 13. Day treatment programs and maternity homes operated by
20 a licensed hospital; or

21 ~~13.~~ 14. Juvenile facilities certified by the Office of Juvenile
22 Affairs or certified by any other state agency authorized by law to
23 license such facilities.

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

4 SECTION 2. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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