

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 53rd Legislature (2012)

4 HOUSE BILL 2840

                                  By: Martin (Scott)

7                                   AS INTRODUCED

8                   An Act relating to children; amending 10 O.S. 2011,  
9                   Section 403, which relates to exemptions from the  
10                  Oklahoma Child Care Facilities Licensing Act;  
                                  exempting certain care; and providing an effective  
                                  date.

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

14           SECTION 1.           AMENDATORY           10 O.S. 2011, Section 403, is  
15 amended to read as follows:

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

- 18           1. Care provided in a child's own home or by relatives;  
19           2. Care provided to one (1) child by an adult other than a  
20 parent or relative;

21           3. Informal arrangements which parents make with friends or  
22 neighbors for the occasional care of their children;

1       ~~3.~~ 4. Programs in which school-aged children are participating  
2 in home-schooling;

3       ~~4.~~ 5. Programs that serve children three (3) years of age and  
4 older and that are operated during typical school hours by a public  
5 school district;

6       ~~5.~~ 6. Programs that serve children three (3) years of age and  
7 older and that are operated during typical school hours by a private  
8 school that offers elementary education in grades kindergarten  
9 through third grade;

10       ~~6.~~ 7. Summer youth camps for children who are at least five (5)  
11 years of age, that are accredited by a national standard-setting  
12 agency or church camp accreditation program;

13       ~~7.~~ 8. Programs in which children attend on a drop-in basis and  
14 parents are on the premises and readily accessible;

15       ~~8.~~ 9. A program of specialized activity or instruction for  
16 children that is not designed or intended for child care purposes  
17 including, but not limited to, scouts, 4-H clubs and summer resident  
18 youth camps, and single-activity programs such as academics,  
19 athletics, gymnastics, hobbies, art, music, dance and craft  
20 instruction;

21       ~~9.~~ 10. Any child care facility that provides care and  
22 supervision for fifteen (15) or fewer hours per week;

23       ~~10.~~ 11. Facilities whose primary purpose is medical treatment;

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1       ~~11.~~ 12. Boarding schools that have education as their primary  
2 purpose and that are recognized as accredited by the State Board of  
3 Education. To be exempt, such programs shall:

- 4           a. have classroom facilities that are not used for  
5                 residential living,
- 6           b. not have been granted nor have assumed legal custody  
7                 of any child attending the facility, and
- 8           c. adhere to standard educational holiday and seasonal  
9                 recess periods to permit students reasonable  
10                opportunities to return to their primary places of  
11                residence with parents or legal guardians;

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

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

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

20       SECTION 2. This act shall become effective November 1, 2012.

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23       COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02/28/2012 -  
24       DO PASS.