

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1273 By: Floyd and David of the  
Senate  
3  
and  
4  
Cockroft of the House  
5  
6

7 An Act relating to child care facilities; amending 10  
O.S. 2011, Section 404, as last amended by Section 3,  
8 Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2015, Section  
404), which relates to minimum requirements;  
9 prohibiting certain equipment in certain areas;  
prohibiting placement of children in certain areas;  
10 providing an effective date; and declaring an  
emergency.  
11

12  
13 AUTHORS: Add the following House Coauthors: Sherrer, Henke,  
Griffith, Munson and Roberts (Sean)  
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15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert  
16

17 "An Act relating to child care facilities; creating  
Shepard's Law; amending 10 O.S. 2011, Section 404,  
18 as last amended by Section 3, Chapter 308, O.S.L.  
2013 (10 O.S. Supp. 2015, Section 404), which  
19 relates to minimum requirements; prohibiting certain  
equipment in sleeping areas used only for infants;  
20 prohibiting placement of children in certain areas;  
providing for noncodification; providing an  
21 effective date; and declaring an emergency.  
22

23  
24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law not to be  
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as "Shepard's Law".

4 SECTION 2. AMENDATORY 10 O.S. 2011, Section 404, as last  
5 amended by Section 3, Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2015,  
6 Section 404), is amended to read as follows:

7 Section 404. A. 1. The Department of Human Services shall  
8 appoint advisory committees of representatives of child care  
9 facilities and others to:

10 a. prepare minimum requirements and desirable standards  
11 for promulgation by the Department, and

12 b. provide advice regarding concerns brought by child  
13 care facilities or referred by the Department to  
14 assist facilities in meeting minimum requirements.

15 2. Committee members shall be appointed for a three-year term,  
16 with a two-consecutive-term limit. A majority of any committee  
17 appointed to prepare requirements and standards for child care  
18 facilities shall be representatives of child care facilities.

19 3. The advisory committee shall create a Child Care Facility  
20 Peer Review Board whose purpose shall be to participate in the  
21 Department's grievance process. The Department shall promulgate  
22 rules specifying the duties of the Child Care Facility Peer Review  
23 Board in the grievance process.

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1 B. Child care facilities shall not allow children to be left  
2 alone in the care of any person under eighteen (18) years of age.

3 Child care centers and family child care homes shall not:

4 1. Use soft or loose bedding, including, but not limited to,  
5 blankets, in sleeping equipment or in sleeping areas used only for  
6 infants;

7 2. Allow toys or educational devices in sleeping equipment or  
8 in a sleeping area used only for infants; or

9 3. Place a child in sleeping equipment or in a sleeping area  
10 which has not been previously approved for use as such by the  
11 Department.

12 C. The Department shall promulgate rules establishing minimum  
13 requirements and desirable standards as may be deemed necessary or  
14 advisable to carry out the provisions of the Oklahoma Child Care  
15 Facilities Licensing Act.

16 D. Such rules shall not be promulgated until after consultation  
17 with the State Department of Health, the State Department of  
18 Education, the Oklahoma State Bureau of Investigation, the State  
19 Fire Marshal, and any other agency deemed necessary by the  
20 Department. Not less than sixty (60) days' notice, by regular mail,  
21 shall be given to all current licensees before any changes are made  
22 in such rules.

23 E. In order to improve the standards of child care, the  
24 Department shall advise and cooperate with licensees, the governing

1 bodies and staff of licensed child care facilities and assist the  
2 staff through advice of progressive methods and procedures, and  
3 suggestions for the improvement of services.

4 F. The Department may participate in federal programs for child  
5 care services, and enter into agreements or plans on behalf of the  
6 state for that purpose, in accordance with federal laws and  
7 regulations.

8 SECTION 3. This act shall become effective July 1, 2016.

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

13 Passed the House of Representatives the 6th day of April, 2016.

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Presiding Officer of the House of  
Representatives

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18 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Presiding Officer of the Senate

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12 Child care facilities shall not use soft or loose bedding,  
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15 educational devices in sleeping equipment or in a sleeping area used  
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