

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1273

6 By: Floyd

7 COMMITTEE SUBSTITUTE

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

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

17 SECTION 1. AMENDATORY 10 O.S. 2011, Section 404, as last
18 amended by Section 3, Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2015,
19 Section 404), is amended to read as follows:

20 Section 404. A. 1. The Department of Human Services shall
21 appoint advisory committees of representatives of child care
22 facilities and others to:

- 23 a. prepare minimum requirements and desirable standards
24 for promulgation by the Department, and
- b. provide advice regarding concerns brought by child
care facilities or referred by the Department to
assist facilities in meeting minimum requirements.

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

5 3. The advisory committee shall create a Child Care Facility
6 Peer Review Board whose purpose shall be to participate in the
7 Department's grievance process. The Department shall promulgate
8 rules specifying the duties of the Child Care Facility Peer Review
9 Board in the grievance process.

10 B. Child care facilities shall not allow children to be left
11 alone in the care of any person under eighteen (18) years of age.
12 Child care facilities shall not use soft or loose bedding,
13 including, but not limited to, blankets, in sleeping equipment or in
14 sleeping areas used only for infants. No facility shall allow toys
15 or educational devices in sleeping equipment or in a sleeping area
16 used only for infants. No facility shall place a child in sleeping
17 equipment or in a sleeping area which has not been previously
18 approved for use as such by the Department.

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

23 D. Such rules shall not be promulgated until after consultation
24 with the State Department of Health, the State Department of

1 Education, the Oklahoma State Bureau of Investigation, the State
2 Fire Marshal, and any other agency deemed necessary by the
3 Department. Not less than sixty (60) days' notice, by regular mail,
4 shall be given to all current licensees before any changes are made
5 in such rules.

6 E. In order to improve the standards of child care, the
7 Department shall advise and cooperate with licensees, the governing
8 bodies and staff of licensed child care facilities and assist the
9 staff through advice of progressive methods and procedures, and
10 suggestions for the improvement of services.

11 F. The Department may participate in federal programs for child
12 care services, and enter into agreements or plans on behalf of the
13 state for that purpose, in accordance with federal laws and
14 regulations.

15 SECTION 2. This act shall become effective July 1, 2016.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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