ENGROSSED SENATE
BILL NO. 1273 By: Floyd and David of the Senate

and

Cockroft of the House

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

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

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

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

a. prepare minimum requirements and desirable standards 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.

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

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

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

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

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

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

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

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

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

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

Passed the Senate the 2nd day of March, 2016.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2016.

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Presiding Officer of the House of Representatives