

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 907

By: Daniels

AS INTRODUCED

An Act relating to the Oklahoma Child Care Facilities Licensing Act; amending 10 O.S. 2011, Section 403, as last amended by Section 1, Chapter 377, O.S.L. 2017 (10 O.S. Supp. 2017, Section 403), which relates to exemptions; adding certain exemption; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2011, Section 403, as last amended by Section 1, Chapter 377, O.S.L. 2017 (10 O.S. Supp. 2017, Section 403), is amended to read as follows:

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

1. Care provided in a child's own home or by relatives;
2. Informal arrangements which parents make with friends or neighbors for the occasional care of their children;
3. Care provided by an attorney-in-fact authorized by Section 700 of this title who exercises parental or legal authority on a continuous basis for not less than twenty-four (24) hours and

1 without compensation for the intended duration of the power of
2 attorney;

3 4. Programs in which school-aged children three (3) years of
4 age and older are participating in home-schooling;

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

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 7. Summer youth camps for children who are at least four (4)
13 years of age, that are accredited by a national standard-setting
14 agency or church camp accreditation program;

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

17 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, programs that limit children from enrolling in multiple
21 sessions because of the type of activity or ages accepted, ~~and~~
22 single-activity programs such as academics, athletics, gymnastics,
23 hobbies, art, music, dance and craft instruction and organizations
24

1 or groups which provide after-school and summer programs for young
2 people;

3 10. Any child care facility that:

4 a. provides care and supervision for fifteen (15) or
5 fewer hours per week,

6 b. operates less than eight (8) weeks annually,

7 c. operates in the summer for less than eight (8) hours
8 per day, or

9 d. provides care and supervision for school-aged children
10 only in a center-based program for twenty-one (21) or
11 fewer hours a week and is located in a county with a
12 population of less than one hundred thousand (100,000)
13 according to the latest Federal Decennial Census;

14 11. Facilities whose primary purpose is medical treatment;

15 12. Boarding schools that have education as their primary
16 purpose and that are recognized as accredited by the State Board of
17 Education. To be exempt, such programs shall:

18 a. have classroom facilities that are not used for
19 residential living,

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

22 c. adhere to standard educational holiday and seasonal
23 recess periods to permit students reasonable
24

opportunities to return to their primary places of
residence with parents or legal guardians;

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

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

15. A program where children are not enrolled by the parents
and are free to come and go;

16. A program in tribal land as defined at 25 U.S.C.A. 1903
(10); and

17. A program on a military base or federal property.

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

SECTION 2. This act shall become effective November 1, 2018.

56-2-2176 DC 1/2/2018 9:27:42 AM