

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1491

By: Newton

AS INTRODUCED

An Act relating to children; amending 10 O.S. 2011, Section 403, as last amended by Section 3, Chapter 172, O.S.L. 2014 (10 O.S. Supp. 2016, Section 403), which relates to exemptions from the Oklahoma Child Care Facilities Licensing Act; lowering age of children at summer youth camp exempt from act; increasing number of hours for child care facility exempt from act; 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 3, Chapter 172, O.S.L. 2014 (10 O.S. Supp. 2016, 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 1 of this act 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 ~~five (5)~~
13 four (4) years of age, that are accredited by a national standard-
14 setting 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;

24 10. Any child care facility that:

- a. provides care and supervision for ~~fifteen (15)~~ twenty-one (21) or fewer hours per week,
- b. operates less than eight (8) weeks annually, or
- c. operates in the summer for less than eight (8) hours per day;

11. Facilities whose primary purpose is medical treatment;

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

- a. have classroom facilities that are not used for residential living,
- b. not have been granted nor have assumed legal custody of any child attending the facility, and
- c. adhere to standard educational holiday and seasonal recess periods to permit students reasonable 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;

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

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

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

7 SECTION 2. This act shall become effective November 1, 2017.

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9 56-1-5944 AM 12/30/16