

AMENDED IN SENATE JUNE 23, 2003
AMENDED IN ASSEMBLY MAY 6, 2003
AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 529

Introduced by Assembly Member Mullin

February 18, 2003

An act to amend Sections 1597.44 and 1597.465 of the Health and Safety Code, relating to care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 529, as amended, Mullin. Family day care homes.

~~Existing law, the~~

The California Child Day Care Facilities Act, provides for the licensing and regulation of child day care facilities, including family day care homes, by the State Department of Social Services. Existing law provides for the licensure of family day care homes. Existing law authorizes a small family day care home to provide day care for more than 6 and up to 8 children if certain conditions are met. Existing law also authorizes a large family day care home to provide day care for more than 12 children and up to and including 14 children if certain conditions are met. One of these conditions applicable to both small and large family day care homes is that at least 2 of the children be at least 6 years of age.

This bill would instead allow the above referred condition to be met if ~~either 2 of the children are at least 6 years of age or at least 2 of the children are enrolled in a kindergarten classroom~~ at least one child is

enrolled in and attending kindergarten or elementary school and a 2nd child is at least 6 years of age. The bill would also include among the above conditions a requirement that the licensee charge the parents of these 2 additional children a reduced amount if the child is in care at the facility 6 or fewer hours per day.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1597.44 of the Health and Safety Code
2 is amended to read:

3 1597.44. A small family day care home may provide care for
4 more than six and up to eight children, without an additional adult
5 attendant, if all of the following conditions are met:

6 ~~(a) At least two of the children are at least six years of age or~~
7 ~~enrolled in a kindergarten classroom.~~

8 (a) *At least one child is enrolled in and attending kindergarten*
9 *or elementary school and a second child is at least six years of age.*

10 (b) No more than two infants are cared for during any time
11 when more than six children are cared for.

12 (c) The licensee notifies each parent that the facility is caring
13 for two additional schoolage children and that there may be up to
14 seven or eight children in the home at one time.

15 (d) The licensee obtains the written consent of the property
16 owner when the family day care home is operated on property that
17 is leased or rented.

18 (e) *The licensee charges the parents of a child specified in*
19 *subdivision (a) a reduced amount if the child is in care at the*
20 *facility six or fewer hours per day.*

21 SEC. 2. Section 1597.465 of the Health and Safety Code is
22 amended to read:

23 1597.465. A large family day care home may provide care for
24 more than 12 children and up to and including 14 children, if all
25 of the following conditions are met:

26 ~~(a) At least two of the children are at least six years of age or~~
27 ~~enrolled in a kindergarten classroom.~~

28 (a) *At least one child is enrolled in and attending kindergarten*
29 *or elementary school and a second child is at least six years of age.*



1 (b) No more than three infants are cared for during any time
2 when more than 12 children are being cared for.

3 (c) The licensee notifies a parent that the facility is caring for
4 two additional schoolage children and that there may be up to 13
5 or 14 children in the home at one time.

6 (d) The licensee obtains the written consent of the property
7 owner when the family day care home is operated on property that
8 is leased or rented.

9 (e) *The licensee charges the parents of a child specified in*
10 *subdivision (a) a reduced amount if the child is in care at the*
11 *facility six or fewer hours per day.*

