



General Assembly

February Session, 2010

Raised Bill No. 5306

LCO No. 1515

01515_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE OPERATION OF CHILD DAY CARE CENTERS AND GROUP DAY CARE HOMES IN PUBLIC SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 19a-79 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2010*):

4 (d) Any child day care center or group day care home that operates
5 in a public school building and serves exclusively school-age children
6 [may apply for a variance to] shall be exempt from the physical plant
7 requirements adopted as regulations pursuant to subsection (a) of this
8 section. [on a form and in the manner prescribed by the Commissioner
9 of Public Health. The commissioner may not grant a variance under
10 this subsection unless (1) the operator of a child day care center or
11 group day care home provides documentation to the commissioner
12 that the intent of the specific requirement or requirements affected by
13 the variance will be satisfactorily achieved in a manner other than that
14 prescribed by the regulations, and (2) the child day care center or
15 group day care home and the Department of Public Health enter into a
16 written agreement specifying the physical plant requirement or

17 requirements affected by the variance, the duration of the variance and
18 the terms under which the variance is granted. If a child day care
19 center or group day care home fails to comply with the terms of such
20 written agreement, the agreement and the variance shall be subject to
21 immediate cancellation. Any operator of a child day care center or
22 group day care home who is granted a variance under this section
23 shall post such variance in close proximity to the operator's license
24 and, at the time of enrollment of any child in the child day care center
25 or group day care home, and annually thereafter, notify the child's
26 parents or guardians of such variance. Such notification shall include
27 the specific physical plant requirement or requirements for which the
28 variance has been granted and an explanation of how the child day
29 care center or group day care home will achieve the intent of the
30 specific requirement or requirements affected by the variance in a
31 manner that protects the health and safety of the children enrolled in
32 the child day care center or group day care home.] Nothing in this
33 section shall be construed to exempt any child day care center or group
34 day care home that operates in a public school building and serves
35 exclusively school-age children from any other requirements adopted
36 as regulations pursuant to subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	19a-79(d)

Statement of Purpose:

To provide an exemption from the Department of Public Health's physical plant regulatory requirements to child day care centers and group day care homes that operate in public school buildings and exclusively serve school-age children.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]