



House Bill No. 5138

Public Act No. 16-121

AN ACT CONCERNING CHILD CARE FACILITIES AND CHILDREN WHO ARE HOMELESS OR AT RISK OF HOMELESSNESS.

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

Section 1. Subdivision (8) of section 17a-93 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(8) "Child care facility" means a congregate residential setting licensed by the Department of Children and Families for the out-of-home placement of (A) children or youths under eighteen years of age, or (B) any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or state accredited job training program or is currently homeless or at risk of homelessness, as defined in section 17a-484a;

Sec. 2. Section 17a-145 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person or entity shall care for or board a child without a license obtained from the Commissioner of Children and Families, except: (1) When a child has been placed by a person or entity holding a license from the commissioner; (2) any residential educational

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institution exempted by the State Board of Education under the provisions of section 17a-152; (3) residential facilities licensed by the Department of Developmental Services pursuant to section 17a-227; (4) facilities providing child care services, as defined in section 19a-77; or (5) any home that houses students participating in a program described in subparagraph (B) of subdivision (8) of section 10a-29. The person or entity seeking a child care facility license shall file with the commissioner an application for a license, in such form as the commissioner furnishes, stating the location where it is proposed to care for such child, the number of children to be cared for, in the case of a corporation, the purpose of the corporation and the names of its chief officers and of the actual person responsible for the child. The Commissioner of Children and Families is authorized to fix the maximum number of children to be boarded and cared for in any such home or institution or by any person or entity licensed by the commissioner. If the population served at any facility, institution or home operated by any person or entity licensed under this section changes after such license is issued, such person or entity shall file a new license application with the commissioner, and the commissioner shall notify the chief executive officer of the municipality in which the facility is located of such new license application, except that no confidential client information may be disclosed.

(b) Each person or entity licensed by the commissioner pursuant to subsection (a) of this section shall designate an on-site staff member who shall apply a reasonable and prudent parent standard, as defined in subsection (a) of section 17a-114d, on behalf of the child.

(c) The Commissioner of Children and Families shall not be responsible for the licensing of any facility that does not board or care for children or youths under eighteen years of age.

Approved June 7, 2016