



Substitute Senate Bill No. 178

Public Act No. 16-163

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE EDUCATION AND EARLY CHILDHOOD STATUTES.

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

Section 1. Section 17b-737 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Education shall establish a program, within available appropriations, to provide grants to municipalities, boards of education and child care providers to encourage the use of school facilities for the provision of child care services before and after school. In order to qualify for a grant, a municipality, board of education or child care provider shall guarantee the availability of a school site which meets the standards set on or before June 30, 2014, by the Department of Public Health and on and after July 1, 2014, by the Office of Early Childhood in regulations adopted under sections 19a-77, 19a-79, 19a-80, as amended by this act, and 19a-82 to 19a-87a, inclusive, as amended by this act, and shall agree to provide liability insurance coverage for the program. Grant funds shall be used by the municipality, board of education or child care provider for the maintenance and utility costs directly attributable to the use of the school facility for the [day care program] provision of child care

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services, for related transportation costs and for the portion of the municipality, board of education or child care provider liability insurance cost and other operational costs directly attributable to the [day care program] provision of such child care services. The municipality or board of education may contract with a child [day] care provider for the program. The Commissioner of Education may adopt regulations, in accordance with the provisions of chapter 54, for purposes of this section. The commissioner may utilize available child care subsidies to implement the provisions of this section and encourage association and cooperation with the Head Start program established pursuant to section 10-16n.

Sec. 2. Subsection (a) of section 17b-749c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Early Childhood shall establish a program, within available appropriations, to provide, on a competitive basis, supplemental quality enhancement grants to [providers of child care services or providers of] child care centers or school readiness programs pursuant to section 10-16p and section 10-16u. Child [day] care [providers] centers and school readiness programs may apply for a supplemental quality enhancement grant at such time and on such form as the commissioner prescribes. Effective July 1, 2014, the commissioner shall make funds payable to [providers] child care centers and school readiness programs under such grants on a prospective basis.

Sec. 3. Section 17b-749d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each licensed child [day] care [provider] center receiving funding directly from the Office of Early Childhood shall adopt a sliding fee scale based on family income. The Commissioner of Early Childhood

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shall develop a minimum sliding fee scale which may be adjusted upward by each such licensed [day] child care [program] center. All income derived from such fees shall be used to support the licensed child care [program] center.

Sec. 4. Subdivision (12) 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*):

(12) "Person responsible for the health, welfare or care of a child or youth" means a child's or a youth's parent, guardian or foster parent; an employee of a public or private residential home, agency or institution or other person legally responsible in a residential setting; or any staff person providing out-of-home care, [including center-based child day care, family day care or group day care, as defined in section 19a-77] such as the provision of child care services, as described in section 19a-77, in a child care center, group child care home or family child care home;

Sec. 5. Section 12-81n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any municipality, upon approval by its legislative body, may provide an exemption from property tax of property subject to taxation under chapter 208 of a business which offers child care services, as described in section 19a-77, to residents of the municipality, provided such business is not regularly engaged in the construction or operation of child [day] care [facilities] centers, group child care homes or family child care homes. Such exemption shall be in the amount of (1) up to one hundred per cent of the assessed value of the property of the business used in providing [day] child care services; and (2) up to ten per cent of the balance of the assessed value of the property of the business.

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Sec. 6. Section 8-210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The state, acting by and in the discretion of the Commissioner of Social Services or the Commissioner of Early Childhood, as appropriate, may enter into a contract with a municipality or a qualified private, nonprofit corporation for state financial assistance for the planning, construction, renovation, site preparation and purchase of improved or unimproved property as part of a capital development project for neighborhood facilities. Such facilities may include, but [are] need not be limited to, child [day] care [facilities] centers, elderly centers, multipurpose human resource centers, emergency shelters for the homeless and shelters for victims of domestic violence. The financial assistance shall be in the form of state grants-in-aid equal to (1) all or any portion of the cost of such capital development project if the grantee is a qualified private nonprofit corporation, or (2) up to two-thirds of the cost of such capital development project if the grantee is a municipality, as determined by the Commissioner of Social Services or the Commissioner of Early Childhood, as appropriate.

(b) The state, acting by and in the discretion of the Commissioner of Early Childhood, may enter into a contract with a municipality, a human resource development agency or a nonprofit corporation for state financial assistance in developing and operating child care centers for children disadvantaged by reasons of economic, social or environmental conditions, provided no such financial assistance shall be available for the operating costs of any such child care center unless it has been licensed by the Commissioner of Early Childhood pursuant to section 19a-80, as amended by this act. Such financial assistance shall be available for a program of a municipality, of a human resource development agency or of a nonprofit corporation which may provide for personnel, equipment, supplies, activities, program materials and

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renovation and remodeling of the physical facilities of such child care centers. Such contract shall provide for state financial assistance, within available appropriations, in the form of a state grant-in-aid (1) for a portion of the cost of such program, as determined by the Commissioner of Early Childhood, if not federally assisted, or (2) equal to one-half of the amount by which the net cost of such program, as approved by the Commissioner of Early Childhood, exceeds the federal grant-in-aid thereof. The Commissioner of Early Childhood may authorize child care centers [provided] receiving financial assistance [pursuant to] under this subsection to apply a program surplus to the next program year. The Commissioner of Early Childhood shall consult with directors of child care centers in establishing fees for the operation of such centers.

(c) The Office of Early Childhood, in consultation with representatives from child care centers, within available appropriations, shall develop guidelines for programs provided at state-contracted child care [center programs] centers. The guidelines shall include standards for program quality and design and identify short and long-term outcomes for families participating in such programs. The Office of Early Childhood, within available appropriations, shall provide a copy of such guidelines to each state-contracted child care center. Each state-contracted child care center shall use the guidelines to develop a program improvement plan for the next twelve-month period and shall submit the plan to the Office of Early Childhood. The plan shall include goals to be used for measuring such improvement. The Office of Early Childhood shall use the plan to monitor the progress of [the] such center.

(d) The state, acting by and in the discretion of the Commissioner of Early Childhood, may enter into a contract with a municipality, a human resource development agency or a nonprofit corporation for state financial assistance for a project of renovation of any child [day]

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care [facility] center receiving assistance [pursuant to the provisions of] under this section, to make such [facility] center accessible to the physically disabled, in the form of a state grant-in-aid equal to (1) the total net cost of the project, as approved by the Commissioner of Early Childhood, or (2) the total amount by which the net cost of the project, as approved by the Commissioner of Early Childhood, exceeds the federal grant-in-aid thereof.

(e) Any municipality, human resource development agency or nonprofit corporation [which] that enters into a contract pursuant to this section for state financial assistance for a [day care facility] child care center shall have sole responsibility for the development of the budget of the [day care program] program provided at such child care center, including, but not limited to, personnel costs, purchases of equipment, supplies, activities and program materials, within the resources provided by the state under [said] such contract. Upon local determination of a change in the type of [day care service] child care services required in the area, a municipality, human resource development agency or nonprofit corporation may, within the limits of its annual budget and subject to the provisions of this subsection and sections 19a-77 to 19a-80, inclusive, as amended by this act, and 19a-82 to 19a-87a, inclusive, as amended by this act, change its [day care service] child care service. An application to change the type of child care service provided shall be submitted to the Commissioner of Early Childhood. Not later than forty-five days after the Commissioner of Early Childhood receives the application, the Commissioner of Early Childhood shall advise the municipality, human resource development agency or nonprofit corporation of the Commissioner of Early Childhood's approval, denial or approval with modifications of the application. If the Commissioner of Early Childhood fails to act on the application not later than forty-five days after the application's submittal, the application shall be deemed approved.

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(f) The Commissioner of Early Childhood may, in his or her discretion, with the approval of the Secretary of the Office of Policy and Management, authorize the expenditure of such funds for the purposes of this section as shall enable the Commissioner of Early Childhood to apply for, qualify for and provide the state's share of [a] federally assisted [day care program] child care services.

Sec. 7. Subdivision (10) of subsection (b) of section 10-500 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(10) Continually monitoring and evaluating all early care and education and child development programs and services, focusing on program outcomes in satisfying the health, safety, developmental and educational needs of all children, while retaining distinct separation between quality improvement services and [child day care] licensing services for child care centers, group child care homes and family child care homes;

Sec. 8. Subparagraph (D) of subdivision (3) of subsection (a) of section 16-50p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(D) In the case of an electric transmission line, (i) what part, if any, of the facility shall be located overhead, (ii) that the facility conforms to a long-range plan for expansion of the electric power grid of the electric systems serving the state and interconnected utility systems and will serve the interests of electric system economy and reliability, and (iii) that the overhead portions, if any, of the facility are cost effective and the most appropriate alternative based on a life-cycle cost analysis of the facility and underground alternatives to such facility, are consistent with the purposes of this chapter, with such regulations or standards as the council may adopt pursuant to section 16-50t, including, but not limited to, the council's best management practices

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for electric and magnetic fields for electric transmission lines and with the Federal Power Commission "Guidelines for the Protection of Natural Historic Scenic and Recreational Values in the Design and Location of Rights-of-Way and Transmission Facilities" or any successor guidelines and any other applicable federal guidelines and are to be contained within an area that provides a buffer zone that protects the public health and safety, as determined by the council. In establishing such buffer zone, the council shall consider, among other things, residential areas, private or public schools, licensed child [day] care [facilities] centers, licensed youth camps or public playgrounds adjacent to the proposed route of the overhead portions and the level of the voltage of the overhead portions and any existing overhead transmission lines on the proposed route. At a minimum, the existing right-of-way shall serve as the buffer zone;

Sec. 9. Subsection (i) of section 16-50p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) For a facility described in subdivision (1) of subsection (a) of section 16-50i, with a capacity of not less than three hundred forty-five kilovolts, the presumption shall be that a proposal to place the overhead portions, if any, of such facility adjacent to residential areas, private or public schools, licensed child [day] care [facilities] centers, licensed youth camps or public playgrounds is inconsistent with the purposes of this chapter. An applicant may rebut this presumption by demonstrating to the council that burying the facility will be technologically infeasible. In determining such infeasibility, the council shall consider the effect of burying the facility on the reliability of the electric transmission system of the state and whether the cost of any contemplated technology or design configuration may result in an unreasonable economic burden on the ratepayers of the state.

Sec. 10. Section 17b-733 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

The Office of Early Childhood shall be the lead agency for child care services, as described in section 19a-77, in Connecticut. The office shall: (1) Identify, annually, existing child care services and maintain an inventory of all available services; (2) provide technical assistance to corporations and private agencies in the development and expansion of child care services for families at all income levels, including families of their employees and clients; (3) study and identify funding sources available for child [day] care services including federal funds and tax benefits; (4) study the cost and availability of liability insurance for [child day care] providers of child care services; (5) encourage providers of child care services to obtain accreditation; (6) develop a range of financing options for child care services, including the use of a tax-exempt bond program, a loan guarantee program and [establishing] the establishment of a direct revolving loan program; (7) promote the colocation of child care services and school readiness programs pursuant to section 4b-31; (8) establish a performance-based evaluation system; (9) develop for recommendation to the Governor and the General Assembly measures to provide incentives for the private sector to develop and support expanded child care services; (10) provide, within available funds and in conjunction with the temporary family assistance program, as defined in section 17b-680, and administered by the Department of Social Services, child [day] care services to public assistance recipients; (11) develop and implement, with the assistance of the Early Childhood Cabinet, established pursuant to section 10-16z, a coordinated and comprehensive state-wide early childhood care and education system of professional development for providers and staff of early childhood care and education programs, including child care centers, group child care homes and family child care homes that provide child care services, that makes available to such providers and their staff, within available appropriations, scholarship assistance, career counseling and

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training and advancement in career ladders, as defined in section 4-124bb; (12) plan and implement a unit cost reimbursement system for state-funded child care services such that, on and after January 1, 2008, any increase in reimbursement shall be based on a requirement that such centers meet the staff qualifications, as defined in subsection (b) of section 10-16p; (13) develop, within available funds, initiatives to increase compensation paid to [child day care] providers of child care services for educational opportunities, including, but not limited to, (A) incentives for educational advancement paid to persons employed by child care centers receiving state or federal funds, and (B) support for the establishment and implementation by the Labor Commissioner of apprenticeship programs for child [day] care center workers pursuant to sections 31-22m to 31-22q, inclusive, which programs shall be jointly administered by labor and management trustees; (14) evaluate the effectiveness of any initiatives developed pursuant to subdivision (13) of this section in improving staff retention rates and the quality of education and care provided to children; and (15) report annually to the Governor and the General Assembly, in accordance with the provisions of section 11-4a, on the status of child [day] care services in Connecticut. Such report shall include (A) an itemization of the allocation of state and federal funds for programs providing child care [programs] services; (B) the number of children served under each program so funded; (C) the number and type of such programs, providers and support personnel; (D) state activities to encourage partnership between the public and private sectors; (E) average payments issued by the state for both part-time and full-time child care; (F) the range of family income and percentages served within each range by such programs; and (G) the age range of children served.

Sec. 11. Subsection (a) of section 19a-87a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) The Commissioner of Early Childhood shall have the discretion to refuse to license under sections 19a-77 to 19a-80, inclusive, as amended by this act, and 19a-82 to 19a-87, inclusive, as amended by this act, a person to conduct, operate or maintain a [day] child care center or a group child care home, as [defined] described in section 19a-77, or to suspend or revoke the license or take any other action set forth in regulation that may be adopted pursuant to section 19a-79 if, the person who owns, conducts, maintains or operates such center or home or a person employed therein in a position connected with the provision of care to a child receiving child care services, has been convicted in this state or any other state of a felony as defined in section 53a-25 involving the use, attempted use or threatened use of physical force against another person, of cruelty to persons under section 53-20, injury or risk of injury to or impairing morals of children under section 53-21, abandonment of children under the age of six years under section 53-23, or any felony where the victim of the felony is a child under eighteen years of age, or of a violation of section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a, or has a criminal record in this state or any other state that the commissioner reasonably believes renders the person unsuitable to own, conduct, operate or maintain or be employed by a child care center or group child care home. However, no refusal of a license shall be rendered except in accordance with the provisions of sections 46a-79 to 46a-81, inclusive.

Sec. 12. Section 19a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Early Childhood shall utilize consultative services and assistance from the Departments of Education, Mental Health and Addiction Services and Social Services and from municipal building, fire and health departments. The commissioner shall make periodic inspections of licensed [day] child care centers, group child

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care homes and family child care homes and shall provide technical assistance to licensees and applicants for licenses to assist them to attain and maintain the standards established in regulations adopted under this section and sections 19a-77 to 19a-80, inclusive, as amended by this act, [19a-82] 19a-84 to 19a-87, inclusive, as amended by this act, and section 19a-87b.

Sec. 13. Subsection (a) of section 19a-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person or officer of an association, organization or corporation who establishes, conducts, maintains or operates a [day] child care center or group child care home without a current and valid license shall be subject to a civil penalty of not more than one hundred dollars a day for each day that such center or home is operated without a license.

Sec. 14. Subdivision (6) of subsection (n) of section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(6) The encouragement of the establishment of child [day] care [facilities] centers and child development centers, including provisions for (A) full-day and year-round programs for children of working parents, (B) opportunities for parents to choose among accredited public or private programs, (C) open enrollment for children in child care and school readiness programs, and (D) incentives for the colocation and service integration of child care programs and school readiness programs pursuant to section 4b-31.

Sec. 15. Subsection (a) of section 17a-248i of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) Not later than October 1, 2015, the Commissioner of Early Childhood shall require, as part of the birth-to-three program [L] established under section 17a-248b, that the parent or guardian of a child who is (1) receiving services under the birth-to-three program, and (2) exhibiting delayed speech, language or hearing development, be notified of the availability of hearing testing for such child. Such notification may include, but need not be limited to, information regarding (A) the benefits of hearing testing for children, (B) the resources available to the parent or guardian for hearing testing and treatment, and (C) any financial assistance that may be available for such testing.

Sec. 16. Subsection (b) of section 17a-101 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The following persons shall be mandated reporters: (1) Any physician or surgeon licensed under the provisions of chapter 370, (2) any resident physician or intern in any hospital in this state, whether or not so licensed, (3) any registered nurse, (4) any licensed practical nurse, (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8) any psychologist, (9) any school employee, as defined in section 53a-65, (10) any social worker, (11) any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics and is eighteen years of age or older, (12) any individual who is employed as a coach or director of youth athletics and is eighteen years of age or older, (13) any individual who is employed as a coach or director of a private youth sports organization, league or team and is eighteen years of age or older, (14) any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is eighteen years of age or older, excluding student employees, (15) any police officer, (16) any juvenile

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or adult probation officer, (17) any juvenile or adult parole officer, (18) any member of the clergy, (19) any pharmacist, (20) any physical therapist, (21) any optometrist, (22) any chiropractor, (23) any podiatrist, (24) any mental health professional, (25) any physician assistant, (26) any person who is a licensed or certified emergency medical services provider, (27) any person who is a licensed or certified alcohol and drug counselor, (28) any person who is a licensed marital and family therapist, (29) any person who is a sexual assault counselor or a domestic violence counselor, as defined in section 52-146k, (30) any person who is a licensed professional counselor, (31) any person who is a licensed foster parent, (32) any person paid to care for a child in any public or private facility, child care center, group child care home or family child care home licensed by the state, (33) any employee of the Department of Children and Families, (34) any employee of the Department of Public Health, (35) any employee of the Office of Early Childhood who is responsible for the licensing of child care centers, group child care homes, family child care homes or youth camps, (36) any paid youth camp director or assistant director, (37) the Child Advocate and any employee of the Office of the Child Advocate, and (38) any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department.

Sec. 17. Subsection (b) of section 10-520 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) On and after July 1, 2015, the Office of Early Childhood shall, during a review and assessment pursuant to subdivision (4) of subsection (b) of section 10-16p, collect data relating to bachelor's degree programs in early childhood education or [childhood] child development that have not been approved by the Board of Regents for Higher Education or the Office of Higher Education and the Office of

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Early Childhood from institutions of higher education that are regionally accredited. The office shall, at least quarterly, use such data to conduct a trend analysis of such bachelor's degree programs for the purpose of determining (1) whether such bachelor's degree programs align with the teacher preparation standards of the National Association for the Education of Young Children, and (2) which courses and concentrations offered as part of such bachelor's degree programs align with such teacher preparation standards.

Sec. 18. Section 10-507 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established an account to be known as the "smart start competitive capital grant account" which shall be a capital projects fund. The account shall contain the amounts authorized by the State Bond Commission in accordance with section 10-508 and any other moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Office of Early Childhood for the purposes of the Connecticut Smart Start competitive grant program established pursuant to section 10-506.

(b) There is established an account to be known as the "smart start competitive operating grant account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain moneys required by law to be deposited in the account, in accordance with the provisions of subdivision (4) of subsection (c) of section 4-28e. Moneys in the account shall be expended by the Office of Early Childhood for the purposes of the Connecticut Smart Start competitive grant program established pursuant to section 10-506.

Sec. 19. Subsection (b) of section 10-16r of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(b) The local school readiness council shall: (1) Make recommendations to the chief elected official and the superintendent of schools on issues relating to school readiness, including any applications for grants pursuant to sections 10-16p, 10-16u, 17b-749a, as amended by this act, and 17b-749c, as amended by this act; (2) foster partnerships among providers of school readiness programs; (3) cooperate with the [office in any program evaluation] Office of Early Childhood in any evaluation of a school readiness program; (4) identify existing and prospective resources and services available to children and families; (5) facilitate the coordination of the delivery of services to children and families, including (A) referral procedures, and (B) before and after-school child care for children attending kindergarten programs; (6) exchange information with other councils, the community and organizations serving the needs of children and families; (7) make recommendations to school officials concerning transition from school readiness programs to kindergarten; and (8) encourage public participation.

Sec. 20. Subsection (a) of section 10-74k of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education shall develop guidelines for the provision of alternative education, as defined in section 10-74j. Such guidelines shall include, but not be limited to, a description of the purpose and expectations of alternative education, criteria for who is eligible to receive alternative education [,] and criteria for how and when a student may enter or exit alternative education.

Sec. 21. Subsection (a) of section 10-4v of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than September 15, 2015, the Commissioner of

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Education shall develop a process to invite innovation waiver requests from local and regional boards of education for waivers of the provisions of this title over which the State Board of Education has jurisdiction, or any regulation adopted by the state board, except a local or regional board of education shall not request or be granted a waiver of the provisions of part I of chapter 166, chapters 169 and 172, sections 10-14n to 10-14w, inclusive, 10-15, 10-16, 10-16b, 10-76d, as amended by this act, 10-186, 10-221a, 10-223e, 10-226a to 10-226h, inclusive, and 10-233c [and 10-281] or any requirement of federal law. Any such innovation waiver request shall be made in a manner and form prescribed by the commissioner and shall demonstrate (1) how the granting of an innovation waiver would stimulate innovation or improve administration of school district operations or student academic performance, (2) that the local or regional board of education can address the intent of the statute or regulation for which an innovation waiver is being sought in a more effective, efficient or economical manner, and (3) how the granting of an innovation waiver would ensure the protection of sound educational practices, the health and safety of students and school personnel, and equal opportunities for learning.

Sec. 22. Subdivision (3) of subsection (a) of section 10-264i of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) For districts assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner, [(i)] (A) for the fiscal year ending June 30, 2010, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand four hundred dollars, and [(ii)] (B) for the fiscal years ending June 30, 2011, to June

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30, 2017, inclusive, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by two thousand dollars.

Sec. 23. Section 19a-79a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait; "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas; "certified pesticide applicator" means a pesticide applicator with (1) supervisory certification under section 22a-54, or (2) operational certification under section 22a-54, who operates under the direct supervision of a pesticide applicator with said supervisory certification; "licensee" means a person licensed under sections 19a-77 to 19a-87e, inclusive; and ["day care center"] "child care facility" means a child care center, group child care home or family child care home that provides "child care services", as described in section 19a-77.

(b) No person other than a certified pesticide applicator shall apply pesticide within any [day care center] child care facility, except that a person other than a certified pesticide applicator may make an emergency application to eliminate an immediate threat to human health, including, but not limited to, for the elimination of mosquitoes, ticks and stinging insects, provided (1) the licensee or a designee of the licensee determines such emergency application to be necessary, (2) the licensee or a designee of the licensee deems it impractical to obtain the services of a certified pesticide applicator, and (3) such emergency application does not involve a restricted use pesticide, as defined in section 22a-47.

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(c) No person shall apply a lawn care pesticide on the grounds of any [day care center] child care facility, except that an emergency application of pesticide may be made to eliminate an immediate threat to human health, including, but not limited to, the elimination of mosquitoes, ticks and stinging insects, provided (1) the licensee or a designee of the licensee determines such emergency application to be necessary, and (2) such emergency application does not involve a restricted use pesticide, as defined in section 22a-47. The provisions of this subsection shall not apply to a family child care home, as described in section 19a-77, if the grounds of such family child care home are not owned or under the control of the licensee.

(d) No licensee or designee of a licensee shall permit any child enrolled in such licensee's [day care center] child care facility to enter an area where a pesticide has been applied in accordance with this section until it is safe to do so according to the provisions on the pesticide label.

(e) On and after October 1, 2009, prior to providing for any application of pesticide on the grounds of any [day care center] child care facility, the licensee or a designee of the licensee shall, within the existing budgetary resources of such [day care center] child care facility, notify the parents or guardians of each child enrolled in such licensee's [day care center] child care facility by any means practicable no later than twenty-four hours prior to such application, except that for an emergency application made in accordance with this section, such notice shall be given as soon as practicable. Notice under this subsection shall include (1) the name of the active ingredient of the pesticide being applied, (2) the target pest, (3) the location of the application on the [day care center] child care facility property, and (4) the date or proposed date of the application. A copy of the record of each pesticide application at a [day care center] child care facility shall be maintained at such [center] facility for a period of five years.

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Sec. 24. Subsection (d) of section 4-168a of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The requirements contained in this section shall not apply to emergency regulations issued pursuant to subsection (g) of section 4-168; regulations that do not affect small businesses directly, including, but not limited to, regulations concerning the administration of federal programs; regulations concerning costs and standards for service businesses such as nursing homes, long-term care facilities, medical care providers, [day care facilities] child care centers, as described in section 19a-77, group child care homes, as described in section 19a-77, family child care homes, as described in 19a-77, water companies, nonprofit 501(c)(3) agencies, group homes and residential care facilities; and regulations adopted to implement the provisions of sections 4a-60g to 4a-60i, inclusive.

Sec. 25. Subsection (b) of section 4-67x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The ten-year plan shall contain: (1) An identification and analysis of the occurrence of child poverty in the state, (2) an analysis of the long-term effects of child poverty on children, their families and their communities, (3) an analysis of costs of child poverty to municipalities and the state, (4) an inventory of state-wide public and private programs that address child poverty, (5) the percentage of the target population served by such programs and the current state funding levels, if any, for such programs, (6) an identification and analysis of any deficiencies or inefficiencies of such programs, and (7) procedures and priorities for implementing strategies to achieve a fifty per cent reduction in child poverty in the state by June 30, 2014. Such procedures and priorities shall include, but not be limited to, (A) vocational training and placement to promote career progression for

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parents of children living in poverty, (B) educational opportunities, including higher education opportunities, and advancement for such parents and children, including, but not limited to, preliteracy, literacy and family literacy programs, (C) housing for such parents and children, (D) [day care and] child care services, as described in section 19a-77, after-school programs and mentoring programs for such children and for single parents, (E) health care access for such parents and children, including access to mental health services and family planning, (F) treatment programs and services, including substance abuse programs and services, for such parents and children, and (G) accessible childhood nutrition programs.

Sec. 26. Subsection (a) of section 10-4o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education, in conjunction with the Department of Social Services, shall coordinate a family resource center program to provide comprehensive child care services, remedial educational and literacy services, families-in-training programs and supportive services to parents who are recipients of temporary family assistance and other parents in need of such services. The family resource centers shall be located in or associated with public schools, and any family resource center established on or after July 1, 2000, shall be located in a public elementary school unless the Commissioner of Education waives such requirement. The commissioner shall determine the manner in which the grant recipients of such program, such as municipalities, boards of education and child care providers, shall be selected. The family resource center shall provide: (1) Quality full-day child care and school readiness programs for children age three and older who are not enrolled in school and child care for children enrolled in school up to the age of twelve for before and after regular school hours and on a full-day basis during school holidays

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and school vacation, in compliance with all state statutes and regulations governing child [day] care services, as described in section 19a-77, and, in the case of the school readiness programs, in compliance with the standards set for such programs pursuant to section 10-16p; (2) support services to parents of newborn infants to ascertain their needs and provide them with referrals to other services and organizations and, if necessary, education in parenting skills; (3) support and educational services to parents whose children are participants of the child care services of the program and who are interested in obtaining a high school diploma or its equivalent. Parents and their preschool age children may attend classes in parenting and child learning skills together so as to promote the mutual pursuit of education and enhance parent-child interaction; (4) training, technical assistance and other support by the staff of the center to [family day care providers] operators and staff of family child care homes, as described in section 19a-77, in the community and serve as an information and referral system for other child care needs in the community or coordinate with such systems as may already exist in the community; (5) a families-in-training program to provide, within available appropriations, community support services to expectant parents and parents of children under the age of three. Such services shall include, but not be limited to, providing information and advice to parents on their children's language, cognitive, social and motor development, visiting a participant's home on a regular basis, organizing group meetings at the center for neighborhood parents of young children and providing a reference center for parents who need special assistance or services. The program shall provide for the recruitment of parents to participate in such program; and (6) a sliding scale of payment, as developed in consultation with the Department of Social Services, for child care services at the center. The center shall also provide a teen pregnancy prevention program for adolescents emphasizing responsible decision-making and communication skills.

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Sec. 27. Subsection (b) of section 10-76d of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) In accordance with the regulations of the State Board of Education, each local and regional board of education shall: (1) Provide special education for school-age children requiring special education who are described in subparagraph (A) of subdivision (5) of section 10-76a. The obligation of the school district under this subsection shall terminate when such child is graduated from high school or reaches age twenty-one, whichever occurs first; and (2) provide special education for children requiring special education who are described in subparagraph (A) or (C) of subdivision (5) of section 10-76a. The State Board of Education shall define the criteria by which each local or regional board of education shall determine whether a given child is eligible for special education pursuant to this subdivision, and such determination shall be made by the board of education when requested by a parent or guardian, or upon referral by a physician, clinic or social worker, provided the parent or guardian so permits. To meet its obligations under this subdivision, each local or regional board of education may, with the approval of the State Board of Education, make agreements with any private school, agency or institution to provide the necessary preschool special education program, provided such private facility has an existing program which adequately meets the special education needs, according to standards established by the State Board of Education, of the preschool children for whom such local or regional board of education is required to provide such an education and provided such district does not have such an existing program in its public schools. Such private school, agency or institution may be a facility which has not been approved by the Commissioner of Education for special education, provided such private facility is approved by the commissioner as an independent school or licensed by the [Department of Public Health as a day care or

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nursery facility] Office of Early Childhood as a child care center, group child care home or family child care home, as described in section 19a-77, or be both approved and licensed.

Sec. 28. Subdivision (3) of subsection (b) of section 10-215h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) Encourage [day care centers] child care centers, group child care homes and family child care homes, as such terms are described in section 19a-77, to participate in the Child and Adult Care Food Program; and

Sec. 29. Subsection (a) of section 12-217x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this section, "human capital investment" means the amount paid or incurred by a corporation on (1) job training which occurs in this state for persons who are employed in this state; (2) work education programs in this state including, but not limited to, programs in public high schools and work education-diversified occupations programs in this state; (3) worker training and education for persons who are employed in this state provided by institutions of higher education in this state; (4) donations or capital contributions to institutions of higher education in this state for improvements or advancements of technology, including physical plant improvements; (5) planning, site preparation, construction, renovation or acquisition of facilities in this state for the purpose of establishing a [day care facility] child care center, as described in section 19a-77, in this state to be used primarily by the children of employees who are employed in this state; (6) subsidies to employees who are employed in this state for child care to be provided in this state; and (7) contributions made to the Individual Development Account Reserve Fund, as defined in

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section 31-51ww.

Sec. 30. Subsection (r) of section 12-574 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(r) Any person or business organization issued a license to conduct dog racing pursuant to subsection (c) of section 12-574c shall provide an on-site [day care facility] child care center, as described in section 19a-77, for use by employees of the dog race track. Such licensee shall employ persons who, at the time of employment, are recipients of aid under chapter 302 or 308 to fill not less than fifty per cent of the positions at such [day care facility] child care center if such persons have been trained for such employment by public or publicly funded agencies in coordination with such licensee.

Sec. 31. Section 12-634 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Revenue Services shall grant a credit against any tax due under the provisions of chapter 207, 208, 209, 210, 211 or 212 in an amount not to exceed sixty per cent of the total cash amount invested during the taxable year by the business firm in programs operated or created pursuant to proposals approved pursuant to section 12-632 for planning, site preparation, construction, renovation or acquisition of facilities for purposes of establishing a [child day care facility] child care center, as described in section 19a-77, to be used primarily by the children of such business firm's employees and equipment installed for such [facility] center, including kitchen appliances, to the extent that such equipment or appliances are necessary in the use of such [facility] center for purposes of child [day] care services, provided: (1) Such [facility] center is operated under the authority of a license issued by the Commissioner of Early Childhood in accordance with sections 19a-77 to 19a-87, inclusive, as amended by

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this act, (2) such [facility] center is operated without profit by such business firm related to any charges imposed for the use of such [facility] center for purposes of child [day] care services, and (3) the amount of tax credit allowed any business firm under the provisions of this section for any income year may not exceed fifty thousand dollars. If two or more business firms share in the cost of establishing such a [facility] center for the children of their employees, each such taxpayer shall be allowed such credit in relation to the respective share, paid or incurred by such taxpayer, of the total expenditures for the [facility] center in such income year. The commissioner shall not grant a credit pursuant to this section to any taxpayer claiming a credit for the same year pursuant to section 12-217x, as amended by this act.

Sec. 32. Subdivision (1) of subsection (a) of section 16-50l of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) In the case of facilities described in subdivisions (1), (2) and (4) of subsection (a) of section 16-50i: (A) A description, including estimated costs, of the proposed transmission line, substation or switchyard, covering, where applicable underground cable sizes and specifications, overhead tower design and appearance and heights, if any, conductor sizes, and initial and ultimate voltages and capacities; (B) a statement and full explanation of why the proposed transmission line, substation or switchyard is necessary and how the facility conforms to a long-range plan for expansion of the electric power grid serving the state and interconnected utility systems, that will serve the public need for adequate, reliable and economic service; (C) a map of suitable scale of the proposed routing or site, showing details of the rights-of-way or site in the vicinity of settled areas, parks, recreational areas and scenic areas, residential areas, private or public schools, [licensed child day care facilities] child care centers, as described in section 19a-77, group child care homes, as described in section 19a-77, family child care

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homes, as described in section 19a-77, licensed youth camps, and public playgrounds and showing existing transmission lines within one mile of the proposed route or site; (D) a justification for adoption of the route or site selected, including comparison with alternative routes or sites which are environmentally, technically and economically practical; (E) a description of the effect of the proposed transmission line, substation or switchyard on the environment, ecology, and scenic, historic and recreational values; (F) a justification for overhead portions, if any, including life-cycle cost studies comparing overhead alternatives with underground alternatives, and effects described in subparagraph (E) of this subdivision of undergrounding; (G) a schedule of dates showing the proposed program of right-of-way or property acquisition, construction, completion and operation; (H) an identification of each federal, state, regional, district and municipal agency with which proposed route or site reviews have been undertaken, including a copy of each written agency position on such route or site; and (I) an assessment of the impact of any electromagnetic fields to be produced by the proposed transmission line; and

Sec. 33. Subsection (a) of section 17b-730 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Early Childhood is authorized to take advantage of any federal statutes and regulations relating to child [day] care services, as described in section 19a-77, and shall have the power to administer any federally assisted child care program in the event that such federal statutes or regulations require that such federally assisted program be administered by a single state agency.

Sec. 34. Subsection (a) of section 17b-749a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) The Commissioner of Early Childhood shall establish, within available appropriations, a program to (1) purchase directly or provide subsidies to parents to purchase child care services provided by any elementary or secondary school, nursery school, preschool, [day] child care center, as described in section 19a-77, group child care home, as described in section 19a-77, family child care home, as described in section 19a-77, family resource center, Head Start program, or local or regional board of education, provided, if the commissioner purchases such services directly, he or she shall give preference to purchasing from providers of full-day and year-round programs; and (2) award grants to providers of school readiness programs, as defined in section 10-16p, to increase the hours of operation of their programs in order to provide child care for children attending such programs. The commissioner, for purposes of subdivision (1) of this subsection, may model the program on the program established pursuant to section 17b-749.

Sec. 35. Subdivision (2) of subsection (b) of section 19a-80 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) The commissioner shall collect from the licensee of a [day] child care center a fee of five hundred dollars prior to issuing or renewing a license for a term of four years. The commissioner shall collect from the licensee of a group child care home a fee of two hundred fifty dollars prior to issuing or renewing a license for a term of four years. The commissioner shall require only one license for a child care center operated in two or more buildings, provided the same licensee provides child care services in each building and the buildings are joined together by a contiguous playground that is part of the licensed space.

Sec. 36. Section 19a-900 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) For the purposes of this section:

(1) "Before or after school program" means any educational or recreational program for children administered in any building or on the grounds of any school by a local or regional board of education or other municipal agency, before or after regular school hours, or both, but does not include a program that is licensed by the Department of Public Health;

(2) "Cartridge injector" means an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions;

(3) "Day camp" means any recreational camp program operated by a municipal agency; and

(4) ["Day care facility"] "Child care facility" means any child care center or group child care home, as [defined] described in subdivisions (1) and (2) of subsection (a) of section 19a-77, that is excluded from the licensing requirements of sections 19a-77 to 19a-87, inclusive, as amended by this act, by subsection (b) of section 19a-77.

(b) Upon the request and with the written authorization of the parent or guardian of a child attending any before or after school program, day camp or [day] child care facility, and pursuant to the written order of (1) a physician licensed to practice medicine, (2) a physician assistant licensed to prescribe in accordance with section 20-12d, or (3) an advanced practice registered nurse licensed to prescribe in accordance with sections 20-94a and 20-94b, the owner or operator of such before or after school program, day camp or [day] child care facility shall approve and provide general supervision to an identified staff member trained to administer medication with a cartridge injector to such child if the child has a medically diagnosed allergic condition

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that may require prompt treatment in order to protect the child against serious harm or death. Such staff member shall be trained in the use of a cartridge injector by a licensed physician, physician assistant, advanced practice registered nurse or registered nurse or shall complete a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health.

Sec. 37. Subsection (h) of section 52-557b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) Any person who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, or has been trained in the use of a cartridge injector by a licensed physician, physician assistant, advanced practice registered nurse or registered nurse, and who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency assistance by using a cartridge injector on another person in need thereof, or any person who is an identified staff member of a before or after school program, day camp or [day] child care facility, as [provided] defined in section 19a-900, as amended by this act, and who renders emergency assistance by using a cartridge injector on another person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in using a cartridge injector, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence. For the purposes of this subsection, "cartridge injector" has the same meaning as provided in subdivision (1) of subsection (e) of this section.

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