

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-5121

AN ACT CONCERNING CERTAIN PROTECTIONS FOR GROUP AND FAMILY

Title: CHILD CARE HOMES.

Vote Date: 3/10/2020

Vote Action: Joint Favorable Substitute

PH Date: 2/18/2020

File No.:

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SPONSORS OF BILL:

All Our Kin

Rep. Lemar, R. 96th Dist.

Sen. Anwar, S. S 3rd Dist.

REASONS FOR BILL:

Group child and family care homes are becoming more of a demand for our working communities. Many childcare providers are asking for an expansion of the number of children that they can take into their care. Providers have identified barriers on the municipal level when trying to expand their practice. This law will protect the license of the child care providers to prevent landlords and homeowners' associations from restricting the operation of these child care providers.

RESPONSE FROM ADMINISTRATION/AGENCY:

Susan Bysiewicz, Lieutenant Governor – The Lieutenant Governor supports this bill because it is important to facilitate an increase in the supply of licensed child care that meets the needs of the state's working families. These caregivers often provide service that is specific to the language, culture and values of the communities that they serve. By expanding housing and zoning protections will help provide women and families with additional childcare options that cover nontraditional hours, while providing an affordable, healthy, safe and nurturing setting.

Beth Bye Commissioner of the Office of Early Childhood – The Office of Early Childhood supports this bill as it seeks to remove barriers to operating a family child care home or group child care home. This will help to expand the number of licensed child care programs and add much needed childcare providers around the state which operate not only as small businesses but enable parents to get to work.

Melissa McCaw, Secretary Office of Policy and Management – OPM supports this bill as it aligns with the goals and mission of the Governor's Council on Women and Girls by helping to provide access childcare that is geographically sensible, culturally appropriate, and offers flexible hours.

NATURE AND SOURCES OF SUPPORT:

Christie Balka, All Our Kin – Supports this bill as it helps child care providers to access resources to high-quality childcare. By eliminating restrictive zoning, home-based child care providers will save money on costly legal fees. These providers are especially likely to be low-income women of color who do not have these resources. Additional testimony from All Our Kin includes statements from childcare providers and the parents that utilize their services speaking in support of this bill.

Amy Eppler-Epstein, New Haven Legal Assistance Association – Supports this bill. Several of her clients have faced eviction from their landlords because have offered state licensed family home day care. These day cares provide a crucial service to the communities that they serve because they provide stable daycare with hours to their neighbors, who are then able to work early or late shifts. Both the parents and the childcare provider are able to provide landlords with rent. By supporting this bill, it will ensure that childcare providers remain licensed and operate to state standards. Without this protection, community daycare providers often go "underground" which removes any of the protections and advantages of having a licensed care provider.

Liz Fraser, Policy Director for the Connecticut Association for Human Services (CAHS) – Supports this bill as it seeks to equalize and streamline the local permitting process for family home care providers, to provide greater access to child care across the state, and to provide opportunities for families to grow small businesses. There is a need for 50,000 childcare slots plus additional care in order to attract young families to live and work in our state.

Emilee Song Gaebler, Ludwig Center for Community and Economic Development, Yale Law School – Supports this bill because family child care homes and group child care homes serve an important function by meeting the needs of children and parents while providing economic opportunities for home-based entrepreneurs. Child care providers face several challenges from municipalities not allowing them to expand and landlords evicting them when they learn of the service that they are providing from their homes. By removing zoning obstacles, providers would have the ability to serve more families in their communities.

Merrill Gay, Connecticut Early Childhood Alliance – Supports this bill as it will clarify and extend zoning protections that protect family child care homes to include group child care homes. With these extensions, the care provider can hire an assistant and serve additional children. This bill will encourage licensed, affordable and family-accessible childcare which is in great demand throughout the state.

Emmanuella Lataure, Ma Maison Child Care – Supports this bill as a licensed childcare provider who has created a program that adheres to CT Early Learning and Development standards. As an accredited family child care educator, she strives to bring high quality childcare that is accessible families in her community. Due to her successful business, she

bought a second home to open another child care home and submitted the proper paperwork in order to do so with the local zoning board. The municipality has since denied her application several times even though her paperwork has met the necessary requirements set out by the municipality.

Emily Persico, Community and Economic Development Clinic – Supports this bill as it helps prevent discrimination against child care providers and helps to provide much needed quality and affordable childcare in our state. This bill has the added benefit of assisting women who need childcare in order to advance their career and those provide child care who experience opposition to their work from the municipality, landlord or neighbors.

Raphael Podolsky, Connecticut Legal Services – Supports this bill would expand childcare for working parents by preventing municipalities from discriminating against group and family care in residential areas. It would ensure that parents can find locally licensed child care and creates employment opportunities to daycare providers. Protecting the licensed care provider would assure that the daycares are appropriate in size and conditions for the number of children they provide care for.

Will Poff-Webster, Community and Economic Development Clinic – Supports this bill as it would help to address a lack of access to affordable childcare in our state. This bill would help to remove barriers from landlords and local zoning that prevent families from accessing childcare in their area.

NATURE AND SOURCES OF OPPOSITION:

Betsy Gara, Executive Director Connecticut Council of Small Towns – Opposes this bill as it will restrict a municipalities authority to regulate or impose operational conditions on family care and group child care homes. While extending access to licensed child care opportunities is important, existing zoning is important to retain the health and safety of residents and children receiving care.

Paul Januszewski, President Greater Enfield Landlord Association – Opposes this bill as it would negatively affect a landlord's ability to provide affordable, safe, and clean housing.

Kim McClain, Executive Director of the Connecticut Chapter of the Community Associations Institute – Opposes this bill as it would supersede condo association agreements and allow family childcare groups to operate in a condo community.

Zachary McKeown, Legislative Associate of CCM – CCM opposes this bill as it would restrict local municipal zoning.

David Pilon, Bouvier Insurance – Opposes this bill if it continues to allow group and family child care in condos as it creates a greater insurance risk for the condo association.

Charles Ryan, Pilicy & Ryan, P.C. – Opposes this bill because it would conflict with land restrictions related to private deed restrictions, covenants, and condominium declarations. Condo associations should be able to maintain control over what is allowed in their community. Having a childcare home would disrupt neighbors and increase liability to the condo association. This testimony argues that having a childcare home in a condo

community would require the condo association to become ADA compliant which is it currently exempt from. This bill would also violate the Housing for Older Persons Act which allows condo communities to prohibit minors from 55 and over communities.

Reported by: Alexander Pachkovsky

Date: 3/16/2020