
OLR Bill Analysis

sHB 6590 (as amended by House "A")*

AN ACT CONCERNING CERTAIN PROTECTIONS FOR GROUP AND FAMILY CHILD CARE HOMES.

SUMMARY

This bill generally (1) makes changes to laws related to family and group child care homes (see BACKGROUND), including on how municipalities' zoning regulations may treat them and (2) requires municipalities to annually certify that their zoning regulations comply with certain requirements related to these child care homes.

Current law prohibits zoning regulations from banning family or group child care homes from residential zones. The bill specifies that this restriction applies only to those located in a residence. (A group child care home may be located in a non-residential facility.) Additionally, under the bill, zoning regulations cannot require special permits or exceptions for operating these family or group child care homes. The bill also extends to licensed group child care homes located in a residence, the protection current law provides to licensed family child care homes by prohibiting municipal zoning regulations from treating them differently than single- or multi-family dwellings.

Starting by December 1, 2023, the bill requires each municipality's chief executive officer to annually submit to the Office of Policy and Management a sworn statement (1) confirming that the municipality's zoning ordinances comply with the zoning requirements discussed above or (2) identifying the specific timeframe within which the municipality will bring its zoning ordinances into compliance.

The bill also extends to group child care homes located in a residence the following requirements, which apply only to family child care homes under current law:

1. the Office of Early Childhood (OEC) must inspect them for evident sources of lead poisoning during licensing inspections

and send for testing any paint chips it finds and

2. municipalities may not impose operational conditions (other than those OEC requires) on them if they comply with all codes and ordinances applicable to single- and multi-family dwellings.

Lastly, the bill makes technical and conforming changes.

*House Amendment "A" eliminates various provisions in the underlying bill that would have established protections for (1) current and prospective tenants who operate, or seek to operate, family and group child care homes in a rental property, and (2) landlords who rent to these tenants.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Family and Group Child Care Homes

A family child care home is a private family home generally providing care for up to six children, including the provider's own children not in school full-time, where the children are cared for between three and 12 hours per day on a regular basis. (If the provider employs an OEC-approved assistant or substitute, he or she may care for up to nine children at a time (CGS § 19a-77(a)(3)).)

A group child care home (1) offers or provides supplementary care to between seven and 12 unrelated children on a regular basis or (2) meets the definition of a family child care home except that it operates in a facility other than a private family home (CGS § 19a-77(a)(2)).

Special Zoning Permits and Exceptions

Special zoning permits and special zoning exceptions are synonymous; they allow recipients to use a property in a way explicitly permitted by the zoning regulations, subject to conditions not applicable to other uses in the same district.

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 11 Nay 4 (03/02/2023)