

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-142—sHB 6590

Housing Committee

Planning and Development Committee

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

SUMMARY: This act makes changes in laws related to family and group child care homes, including changes affecting how municipalities' zoning regulations may treat them. It also requires municipalities to annually certify that their zoning regulations comply with certain requirements related to these child care homes.

Existing law prohibits zoning regulations from banning family or group child care homes from residential zones. The act 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.) Under the act, zoning regulations cannot require special permits or exceptions for operating these family or group child care homes (see **BACKGROUND**). The act also extends a provision under existing law, which prohibits municipal zoning regulations from treating family child care homes differently from single- or multi-family dwellings, to licensed group child care homes located in a residence.

Starting by December 1, 2023, the act 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 described above or (2) identifying the specific timeframe within which the municipality will bring its zoning ordinances into compliance.

The act also extends to group child care homes located in a residence the following inspection and operational requirements, which applied only to family child care homes under prior law:

1. the Office of Early Childhood (OEC) must inspect them for evident sources of lead poisoning during licensing inspections and send any paint chips it finds for testing, 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 act makes minor, technical, and conforming changes.

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

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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, then the provider 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 related or 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; both 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.