



General Assembly

Substitute Bill No. 5049

January Session, 2023



**AN ACT EXEMPTING FROM LICENSING REQUIREMENTS CERTAIN
CHILD CARE SERVICES FOR CHILDREN OF MEMBERS OF THE
UNITED STATES MILITARY.**

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

1 Section 1. Subsections (a) and (b) of section 19a-77 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) As used in this section and sections 19a-77a to 19a-80, inclusive,
5 and sections 19a-82 to 19a-87a, inclusive, "child care services" includes:

6 (1) A "child care center" which offers or provides a program of
7 supplementary care to more than twelve related or unrelated children
8 outside their own homes on a regular basis;

9 (2) A "group child care home" which offers or provides a program of
10 supplementary care (A) to not less than seven or more than twelve
11 related or unrelated children on a regular basis, or (B) that meets the
12 definition of a family child care home except that it operates in a
13 facility other than a private family home;

14 (3) A "family child care home" which consists of a private family
15 home providing care (A) for (i) not more than six children, including
16 the provider's own children not in school full time, without the

17 presence or assistance of an assistant or substitute staff member
18 approved by the Commissioner of Early Childhood, pursuant to
19 section 19a-87b, present and assisting the provider, or (ii) not more
20 than nine children, including the provider's own children, with the
21 presence and assistance of such approved assistant or substitute staff
22 member, and (B) for not less than three or more than twelve hours
23 during a twenty-four-hour period and where care is given on a
24 regularly recurring basis except that care may be provided in excess of
25 twelve hours but not more than seventy-two consecutive hours to
26 accommodate a need for extended care or intermittent short-term
27 overnight care. During the regular school year, for providers described
28 in subparagraph (A)(i) of this subdivision, a maximum of three
29 additional children who are in school full time, including such
30 provider's own children, shall be permitted, except that if such
31 provider has more than three children who are such provider's own
32 children and in school full time, all of such provider's own children
33 shall be permitted. During the summer months when regular school is
34 not in session, for providers described in subparagraph (A)(i) of this
35 subdivision, a maximum of three additional children who are
36 otherwise enrolled in school full time shall be permitted if there is such
37 an approved assistant or substitute staff member present and assisting
38 such provider, except that (i) if such provider has more than three such
39 additional children who are such provider's own children, all of such
40 provider's own children shall be permitted, and (ii) such approved
41 assistant or substitute staff member shall not be required if all of such
42 additional children are such provider's own children;

43 (4) "Night care" means the care provided for one or more hours
44 between the hours of 10:00 p.m. and 5:00 a.m.; and

45 (5) "Year-round" program means a program open at least fifty
46 weeks per year.

47 (b) For licensing requirement purposes, child care services shall not
48 include such services which are:

49 (1) (A) Administered by a public school system, or (B) administered
50 by a municipal agency or department;

51 (2) Administered by a private school which is in compliance with
52 section 10-188 and is approved by the State Board of Education or is
53 accredited by an accrediting agency recognized by the State Board of
54 Education, provided the provision of such child care services by the
55 private school is only to those children whose ages are covered under
56 such approval or accreditation;

57 (3) Classes in music, dance, drama and art that are no longer than
58 two hours in length; classes that teach a single skill that are no longer
59 than two hours in length; library programs that are no longer than two
60 hours in length; scouting; programs that offer exclusively sports
61 activities; rehearsals; academic tutoring programs; or programs
62 exclusively for children thirteen years of age or older;

63 (4) Informal arrangements among neighbors and formal or informal
64 arrangements among relatives in their own homes, provided the
65 relative is limited to any of the following degrees of kinship by blood,
66 marriage or court order to the child being cared for: Grandparent,
67 great-grandparent, sibling, aunt or uncle;

68 (5) Supplementary child care operations for educational or
69 recreational purposes and the child receives such care infrequently
70 where the parents are on the premises;

71 (6) Supplementary child care operations in retail establishments
72 where the parents remain in the same store as the child for retail
73 shopping, provided the drop-in supplementary child-care operation
74 does not charge a fee and does not refer to itself as a child care center;

75 (7) Administered by a nationally chartered boys' and girls' club that
76 are exclusively for school-age children;

77 (8) Religious educational activities administered by a religious
78 institution exclusively for children whose parents or legal guardians

79 are members of such religious institution;

80 (9) Administered by Solar Youth, Inc., a New Haven-based
81 nonprofit youth development and environmental education
82 organization;

83 (10) Programs administered by organizations under contract with
84 the Department of Social Services pursuant to section 17b-851a that
85 promote the reduction of teenage pregnancy through the provision of
86 services to persons who are ten to nineteen years of age, inclusive;

87 (11) Administered by the Cardinal Shehan Center, a Bridgeport-
88 based nonprofit organization that is exclusively for school-age
89 children;

90 (12) Administered by Organized Parents Make a Difference, Inc., a
91 Hartford-based nonprofit organization that is exclusively for school-
92 age children; [or]

93 (13) Administered by Leadership, Education and Athletics in
94 Partnership, Inc., a New Haven-based nonprofit youth development
95 organization; or

96 (14) Programs that exclusively provide care for children of members
97 of the United States Coast Guard or any branch of the military under
98 the United States Department of Defense and that are (A) administered
99 by the federal government or on federal property, or (B) administered
100 by a person certified as a family child care provider by the United
101 States Coast Guard or a branch of the military under the United States
102 Department of Defense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-77(a) and (b)

VA *Joint Favorable Subst.*

