
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 222 by Senator Walsworth

1 AMENDMENT NO. 1

2 On page 1, delete line 2, and insert:

3 "To amend and reenact R.S. 46:1403, 1404(A), 1405,"

4 AMENDMENT NO. 2

5 On page 1, line 3, delete "1426(introductory paragraph) and (C),"

6 AMENDMENT NO. 3

7 On page 1, line 4, before "1428(A)" insert "and" and delete "and 1430(A)(1)"

8 AMENDMENT NO. 4

9 On page 1, line 7, delete "and authorization certificate"

10 AMENDMENT NO. 5

11 On page 1, delete line 13, and insert:

12 "Section 1. R.S. 46:1403, 1404(A), 1405, 1415,"

13 AMENDMENT NO. 6

14 On page 1, line 14, delete "1426 (introductory paragraph) and (C),"

15 AMENDMENT NO. 7

16 On page 1, line 15, before "1428(A)" insert "and" and delete ", and 1430(A)(1)"

17 AMENDMENT NO. 8

18 On page 1, delete line 17

19 AMENDMENT NO. 9

20 On page 2, delete lines 1 through 4

21 AMENDMENT NO. 10

22 On page 2, delete lines 8 through 13

23 AMENDMENT NO. 11

24 On page 2, line 14, delete "(2)" insert "(1)"

25 AMENDMENT NO. 12

26 On page 2, line 18, delete "(3)" insert "(2)"

1 AMENDMENT NO. 13

2 On page 2, line 21, delete "(4)" insert "(3)"

3 AMENDMENT NO. 14

4 On page 3, line 3, delete "(5)" insert "(4)"

5 AMENDMENT NO. 15

6 On page 3, line 17, delete "(6)" insert "(5)"

7 AMENDMENT NO. 16

8 On page 3, line 26 delete "(7)" insert "(6)"

9 AMENDMENT NO. 17

10 On page 3, line 29, delete "(8)" insert "(7)"

11 AMENDMENT NO. 18

12 On page 4, line 1, delete "and" and after "III" insert ", and Type IV"

13 AMENDMENT NO. 19

14 On page 4, line 2, delete "(9)" insert "(8)"

15 AMENDMENT NO. 20

16 On page 4, line 10, delete "(10)" and insert "(9)"

17 AMENDMENT NO. 21

18 On page 4, line 12, delete "(11)" and insert "(10)"

19 AMENDMENT NO. 22

20 On page 4, line 21, delete "(12)" and insert "(11)"

21 AMENDMENT NO. 23

22 On page 4, line 25, delete "(13)" and insert "(12)"

23 AMENDMENT NO. 24

24 On page 4, between lines 26 and 27 insert:

25 "(13) A "Type I license" means a license held by a child day care center or residential
26 home that is owned or operated by a church or religious organization that does not
27 wish to be licensed as a Type II or Type III center. "Type I license" also means a
28 license held by a child day care center or residential home holding a Class B license
29 prior to the effective date of this Section."

30 AMENDMENT NO. 25

31 On page 5, line 20 and 21, delete "or possess an authorization certificate"

32 AMENDMENT NO. 26

33 On page 5, line 22, delete "three" and insert "four"

1 AMENDMENT NO. 27

2 On page 5, line 23, delete "and" and after "III" insert ", and Type IV"

3 AMENDMENT NO. 28

4 On page 5, line 29, delete "A.(1) All child day" and delete pages 6 through 8 and insert:

5 "A.(1) Until such time as rules are promulgated by the department, child care
 6 facilities and child-placing agencies shall follow the rules, regulations, and standards
 7 for Class A and Class B licensure as established by R.S. 46:1409 and 1413.

8 (2) The department shall provide for the creation of a child care committee to
 9 include one representative from Louisiana's Early Childhood Advisory Council, the
 10 Child Care Association of Louisiana, the nonpublic school commission, the Department
 11 of Children and Family Services, and the Department of Education. The Department
 12 of Children and Family Services shall seek input from the committee in the
 13 development of the rules and regulations establishing Type I, Type II, Type III, and
 14 Type IV licenses and shall submit all recommended rules and regulations pursuant to
 15 this Section to the committee for approval.

16 B. All existing child day care centers or residential homes possessing a Class B
 17 license on July 31, 2013, shall automatically be issued an authorization certificate as
 18 provided by rule.

19 C.(1) All child day care centers that meet the definition for a Type II license
 20 pursuant to this Chapter shall be issued a Type II license.

21 (2) Any child day care center possessing a Class A license upon the effective date
 22 of this Section that meets the definition of a Type II license pursuant to this Chapter,
 23 shall automatically be issued a Type II license.

24 D. All existing child day care centers that meet the definition for a Type III
 25 license pursuant to this Chapter shall be automatically issued a Type III license in
 26 accordance with applicable regulations.

27 E.(1) All existing child placing agencies, maternity homes, and residential homes
 28 that meet the definition for a Type IV license pursuant to this Chapter shall be issued
 29 a Type IV license as provided by rule.

30 (2) Any maternity home, residential home, or child-placing agency possessing
 31 a Class A license upon the effective date of this Section that meets the definition of a
 32 Type IV license pursuant to this Chapter, shall automatically be issued a Type IV
 33 license.

34 F. Any child day care center requesting to change their license type for the
 35 following year shall apply to the department no later than December first of the
 36 preceding year. This Subsection shall not apply to child day care centers changing
 37 location or ownership that are required to apply for a new licence pursuant to
 38 Subsection 1406(D) of this Chapter.

39 §1406. Licenses and authorization certificates; application; temporary or
 40 provisional; fees

41 A. Application for licensure of a new child day care center or specialized
 42 provider shall be made by the child day care center or specialized provider to the
 43 department upon forms furnished by the department. Upon receipt of the application
 44 for a license and verification that minimum requirements for such license as
 45 established by rule are satisfied, and that the facility or agency is in compliance with
 46 all other state and local laws and regulations, the department shall issue a Type I, Type
 47 II, Type III, or Type IV license for the appropriate license category for such period as
 48 may be provided for by rule.

49 B. The department may provide through the promulgation of rules for the
 50 issuance of temporary, provisional, or extended licenses for each license category and
 51 type if a disapproval has not been received from any other state or local agency
 52 regulated by any other laws or rules to inspect such facilities or agencies.

53 C. A license of any type or category shall apply only to the location stated on the
 54 application, and such license, once issued, shall not be transferable from one person to
 55 another or from one location to another. If the location or ownership of the facility is
 56 changed, then the license shall be automatically revoked. A new application form shall
 57 be completed prior to all license or authorization certificate renewals.

1 D. All licensed or authorized facilities shall display the license in a prominent
2 place at the facility, except that a facility operated by a church or religious organization
3 may be exempt from such requirement provided the license is available upon request.

4 E. There shall be an annual license for each type of child day care center and
5 specialized provider in an amount equal to the annual license fee in full force and effect
6 for all Class A and Class B child care facilities and child-placing agencies possessing
7 such license upon the effective date of this Section, without an increase in the amount
8 of such fees.

9 F. There shall be an annual license fee of twenty-five dollars for any license
10 issued to a child day care center providing care for fifteen or fewer children; one
11 hundred dollars for any license issued to a child day care center providing care for at
12 least sixteen but no more than fifty children; one hundred seventy-five dollars for any
13 license issued to a child day care center providing care for at least fifty-one but no more
14 than one hundred children; and two hundred fifty dollars for any license issued to a
15 child day care center providing care for more than one hundred children.

16 G. There shall be an annual license fee of one hundred dollars for any license
17 issued to a residential home providing care for six or less children; two hundred dollars
18 for any license issued to a residential facility providing care for at least seven but no
19 more than fifteen children; and three hundred dollars for any license issued to a
20 residential facility providing care for sixteen or more children.

21 H. There shall be an annual license fee of fifty dollars for any license issued to
22 a child-placing agency or maternity home.

23 I. The fees provided for in this Section shall not apply to any Type I child day
24 care center owned or operated by a church or religious organization.

25 J. Annual fees for any type or category of license shall not be increased unless
26 expressly authorized by statute as provided in Article VII, § 2.1 of the Louisiana
27 Constitution.

28 §1407. Rules, regulations and standards for licenses

29 AMENDMENT NO. 29

30 On page 9 delete line 1

31 AMENDMENT NO. 30

32 On page 9, lines 2 and 3, delete "authorization certificate and"

33 AMENDMENT NO. 31

34 On page 9, line 5, after "Act." insert:

35 "The department shall seek input and guidance from the Louisiana Advisory Council
36 on Child Care and Early Education concerning the proposed rules and regulations for
37 approval in accordance with the Administrative Procedure Act."

38 AMENDMENT NO. 32

39 On page 10, lines 12 and 13, delete "require the following:" and insert "be required to
40 have the following:"

41 AMENDMENT NO. 33

42 On page 10, line 17, after "Adherence" insert "by Type III child day care centers,"

43 AMENDMENT NO. 34

44 On page 10, between lines 21 and 22, insert:

1 **"(3) No facility holding a Type I license shall receive any state or federal funds, from**
2 **any source, whether directly or indirectly. If a facility holding a Type I license receives**
3 **any state or federal funds its license shall be automatically revoked."**

4 AMENDMENT NO. 35

5 On page 10, line 22, delete "**(3)**" and insert "**(4)**" and delete "**Type I license or**
6 **authorization certificate**" and insert "**Type II license**"

7 AMENDMENT NO. 36

8 On page 10, line 25, delete "**Type I license or authorization certificate**" and insert "**Type**
9 **II license**"

10 AMENDMENT NO. 37

11 On page 10, line 27, delete "**or authorization certificate**"

12 AMENDMENT NO. 38

13 On page 11, line 3, delete "**and authorizations**"

14 AMENDMENT NO. 39

15 On page 11, between lines 10 and 11 insert:

16 **"F. Discrimination by child care facilities and child-placing agencies on the basis of**
17 **race, color, creed, sex, national origin, disability, as defined by R.S. 51:2232(11),**
18 **ancestry, or whether the child is being breastfed is prohibited. However, this shall not**
19 **restrict the hiring or admission policies of a church or religious organization, which**
20 **may give preference in hiring or admission to members of the church or**
21 **denomination."**

22 AMENDMENT NO. 40

23 On page 11, line 11, delete "**F.**" and insert "**G.**"

24 AMENDMENT NO. 41

25 On page 11, lines 13 and 14, delete "**as long as the civil or human rights of the children**
26 **are not violated**"

27 AMENDMENT NO. 42

28 On page 11, line 15, delete "**G.**" and insert "**H.**"

29 AMENDMENT NO. 43

30 On page 11, line 19, delete "**H.**" and insert "**I.**"

31 AMENDMENT NO. 44

32 On page 11, delete lines 22 through 29, and on page 12, delete lines 1 through 22

33 AMENDMENT NO. 45

34 On page 13, line 4, delete "**or authorization certificate**"

35 AMENDMENT NO. 46

36 On page 13, line 8, delete "**or authorization certificate**"

1 AMENDMENT NO. 47

2 On page 13, line 10, delete "**or authorized center**"

3 AMENDMENT NO. 48

4 On page 13, line 12, delete "**or authorization certificate**"

5 AMENDMENT NO. 49

6 On page 13, lines 14 and 15, delete "**authorization certificate**"

7 AMENDMENT NO. 50

8 On page 13, lines 16 and 17, delete "**or authorization certificate**"

9 AMENDMENT NO. 51

10 On page 13, line 20, delete "**or authorization certificate**"

11 AMENDMENT NO. 52

12 On page 14, lines 5 and 6, delete "**or authorization certificate**"

13 AMENDMENT NO. 53

14 On page 14, line 10, delete "**or authorization certificate**"

15 AMENDMENT NO. 54

16 On page 15 delete lines 2 through 20

17 AMENDMENT NO. 55

18 On page 15, line 27, delete "**or authorized**"

19 AMENDMENT NO. 56

20 On page 16 delete lines 8 through 21

21 AMENDMENT NO. 57

22 On page 16 after line 22 insert:

23 "Section 3. Sections 1 and 2 shall become effective on January 1, 2014."