Regular Session, 2003

HOUSE BILL NO. 233

BY REPRESENTATIVE ILES

CHILD DAY CARE FACILITY: Relative to discrimination in day care centers and breast-fed babies

AN ACT

To amend and reenact R.S. 46:1409(B)(5) and 1413(E), relative to child care facilities; to prohibit discrimination against breast-fed babies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1409(B)(5) and 1413(E) are hereby amended and reenacted to read as follows:

§1409. Rules, regulations and standards for Class A licenses

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B. The Louisiana Advisory Committee on Licensing of Child Care Facilities and Child-Placing Agencies shall approve rules and regulations developed by the department to meet at least the following standards for all Class A child care facilities and child placement agencies as defined in this Chapter which, at a minimum, shall:

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(5) Prohibit discrimination by child care facilities and child placement agencies on the basis of race, color, creed, sex, national

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origin, handicapping condition, ~~or~~ ancestry, or whether the child is being breast-fed. A provider shall have a written description of admission policies and criteria which expresses the needs, problems, situations, or patterns best addressed by its program. These policies shall be available to the legally responsible person for any child referred for placement.

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§1413. Rules, regulations, and standards for Class B licenses

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E. No child care facility shall discriminate based on race, color, creed, disability, as defined in R.S. 51:2232(11), national origin, ~~or~~ ancestry, or whether the child is being breast-fed. However, this shall not restrict the hiring or admission policies of a church or religious organization, which may give preference in hiring or admission to members of the church or denomination. Nor shall it affect the rights of religious sectarian child-placing agencies to consider creed in any decision or action relating to foster care or adoption.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Iles HB No. 233

Abstract: Prohibits discrimination against breast-fed babies by child care facilities.

Present law (R.S. 46:1409(B)(5)) prohibits Class A child care facilities from discriminating based on race, color, creed, disability, national origin, and ancestry.

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Proposed law retains present law but also prohibits discrimination against babies that are breast-fed.

Present law (R.S.46: 1413(E)) prohibits discrimination among Class B child care facilities based on race, color, creed, disability, national origin, and ancestry.

Proposed law retains present law but also prohibits discrimination against babies that are breast-fed.

(Amends R.S. 46:1409(B)(5) and 1413(E))

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