

2022 Regular Session

HOUSE BILL NO. 861

BY REPRESENTATIVE ST. BLANC

FIRE PROTECT/FIRE MARSHAL: Provides relative to inspections of family child care providers and in-home providers

1 AN ACT

2 To enact R.S. 17:407.65(D) and to repeal R.S. 17:407.64(B) and 407.66 and R.S. 40:1563.2,
3 relative to family and in-home child care providers; to provide relative to the
4 inspection of such providers; to provide relative to the powers and duties of the state
5 Department of Education and the office of state fire marshal with respect to such
6 providers; to provide for the transfer and use of monies; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:407.65(D) is hereby enacted to read as follows:

10 §407.65. Inspections; complaints

11 * * *

12 D. Inspections by the department's authorized agents shall include evaluation
13 of fire prevention and preparedness and other safety matters. The office of state fire
14 marshal shall audit inspections pursuant of this Subsection, and the department shall
15 transfer sufficient funds to the office of state fire marshal to cover the costs of such
16 audits.

17 Section 2. R.S. 17:407.64(B) and 407.66 and R.S. 40:1563.2 are hereby repealed in
18 their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 861 Original

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St. Blanc

Abstract: Provides relative to the inspection of family and in-home child care providers.

Present law requires that a family child care provider (an individual who provides child care services for fewer than 24 hours per day per child, as the sole caregiver, for six or fewer children, in a private residence) and an in-home provider (an individual who provides child care services in the child's own home) to register with the state Dept. of Education (DOE) if the provider receives state or federal funds related to the care.

Proposed law retains present law.

Present law requires each such child care provider to be inspected by DOE, through authorized agents, and by the office of state fire marshal (the office).

Proposed law requires instead that the inspection performed by DOE authorized agents include a fire and safety inspection and removes the requirement that providers be inspected by the office. Requires the office to audit the inspections by DOE and requires DOE to transfer funds to the office to cover such audits.

Proposed law repeals present law providing for a \$30 per year fee collected by the office for such inspections.

Present law provides relative to licensing and regulation of child day care centers, which provide care, supervision, and guidance of seven or more children unaccompanied by parent or legal custodian on a regular basis for at least 12.5 hours in a continuous seven-day week.

Proposed law is not applicable to child day care centers.

(Adds R.S. 17:407.65(D); Repeals R.S. 17:407.64(B) and 407.66 and R.S. 40:1563.2)