

MAR 12 1997

HUMAN RESOURCES

HOUSE FILE  
BY MUNDIE

570

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to child day care by providing for a fee for  
2 abuse registry checks of child day care providers and  
3 requiring registration of certain family day care homes and  
4 making a penalty applicable.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 235A.16, Code 1997, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 4. A written request for child abuse  
4 information involving a provider of child day care, as defined  
5 in section 237A.1, is subject to a fee of two dollars for each  
6 central child abuse registry check. If a registry check is  
7 made regarding an employee of an authorized requester, the fee  
8 shall be paid by the authorized requester and shall not be  
9 charged to the employee.

10 Sec. 2. Section 237A.3, subsection 1, paragraph a, Code  
11 1997, is amended to read as follows:

12 a. A person who operates or establishes a family day care  
13 home which provides care for four children or less may apply  
14 to the department for registration under this chapter. A  
15 person shall not operate or establish a family day care home  
16 which provides care for five or more children unless the  
17 person registers under this chapter. The department shall  
18 issue a certificate of registration upon receipt of a  
19 statement from the family day care home that the home complies  
20 with rules adopted by the department. The registration  
21 certificate shall be posted in a conspicuous place in the  
22 family day care home, shall state the name of the registrant,  
23 the number of individuals who may be received for care at any  
24 one time, and the address of the home, and shall include a  
25 check list of registration compliances.

26 Sec. 3. Section 237A.19, unnumbered paragraph 2, Code  
27 1997, is amended to read as follows:

28 A person who establishes, conducts, manages, or operates a  
29 family day care home without registering in accordance with  
30 section 237A.3 or a group day care home without registering  
31 under this chapter or who operates a an unregistered family  
32 day care home contrary to section 237A.5, ~~is-guilty-of~~ commits  
33 a simple misdemeanor. Each day of continuing violation after  
34 conviction, or notice from the department by certified mail of  
35 the violation, is a separate offense. A single charge

1 alleging continuing violation may be made in lieu of filing  
2 charges for each day of violation.

3 Sec. 4. Section 237A.20, Code 1997, is amended to read as  
4 follows:

5 237A.20 INJUNCTION.

6 A person who establishes, conducts, manages, or operates a  
7 center without a license, a family day care home without a  
8 certificate of registration, if required to register in  
9 accordance with section 237A.3, or a group day care home  
10 without a certificate of registration may be restrained by  
11 temporary or permanent injunction. A person who has been  
12 convicted of a crime against a person or a person with a  
13 record of founded child abuse may be restrained by temporary  
14 or permanent injunction from providing unregistered,  
15 registered, or licensed child day care. The action may be  
16 instituted by the state, a political subdivision of the state,  
17 or an interested person.

18 EXPLANATION

19 This bill relates to child day care by providing for a fee  
20 for abuse registry checks of child day care providers and  
21 requiring registration of certain family day care homes.

22 Code section 235A.16, relating to requests for child abuse  
23 information, is amended to apply a fee of \$2 for a child abuse  
24 registry check involving a child day care provider. If a  
25 check is performed on an employee of an authorized requester,  
26 the bill requires the fee to be paid by the authorized  
27 requester and is not to be charged to the employee.

28 Code section 237A.3, relating to registration of family and  
29 group day care homes, is amended to require registration of a  
30 family day care home which provides care to five or more  
31 children. Under current law, registration of family day care  
32 homes is voluntary. A family day care home which fails to  
33 register as required by the bill is a simple misdemeanor under  
34 section 237A.19 and may be restrained by injunction under  
35 section 237A.20.