

CHAPTER 151**CHILD DAY CARE***H F. 500*

AN ACT relating to requirements for child day care family homes, and facilities and programs including but not limited to those operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 237A.1, subsection 7, Code 1991, is amended by adding the following new paragraphs:

NEW PARAGRAPH. e. A nonprofit program operated by volunteers for no charge for not more than two hours during any twenty-four hour period.

NEW PARAGRAPH. f. A program provided by the state or a political subdivision, which provides recreational classes for a period of less than two hours per day.

Sec. 2. Section 237A.3, subsection 1, Code 1991, is amended to read as follows:

1. A person who operates or establishes a family day care home may apply to the department for registration under this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules adopted by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time, and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. However, a registered or unregistered family day care home may provide care for more than six but less than twelve children at any one time for a period of less than two hours, but shall not do so unless the home does not provide care at any one time for more than six children who are not attending school full-time on a regular basis. In determining the number of children cared for at any one time in a registered or unregistered family day care home, if the person who operates or establishes the home is a child's parent, guardian, relative, or custodian and the child is not attending school full-time on a regular basis or is not receiving child day care full-time on a regular basis from another person, the child shall be considered to be receiving child day care from the person and shall be counted as one of the children cared for in the home. The registration process may be repeated on an annual basis. A child day care provider or program which is not a family day care home by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a certificate of registration under this chapter.

Sec. 3. Section 237A.12, Code 1991, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. If a school district or accredited nonpublic school building complies with standards adopted by the state fire marshal for school buildings under chapter 100, the building is considered appropriate for use by a child day care facility caring for school age children. The rules adopted by the administrator under this section shall not require the facility to comply with building requirements which differ from requirements for use of the building as a school.

NEW UNNUMBERED PARAGRAPH. Standards and requirements set by a city or county for a school building used as a child day care facility as an adjunct to the primary purpose of the building shall take into consideration that children are received for temporary care only and shall not differ from standards and requirements set for the primary purpose of the building.

Sec. 4. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 9, 1991