

3. Conviction of a felony related to the business of a mobile home dealer, manufacturer, ~~or distributor, manufacturer's representative or distributor's representative~~. A copy of the record of conviction or plea of guilty shall be sufficient evidence for the purposes of this section.

Sec. 8. Section 322B.6, subsection 6, Code 1997, is amended by striking the subsection.

Sec. 9. Section 322B.8, Code 1997, is amended to read as follows:  
322B.8 UNLAWFUL PRACTICE.

It is unlawful for a person to engage in business as a mobile home dealer, mobile home manufacturer, ~~or mobile home distributor, manufacturer's representative or distributor's representative~~ in this state without first acquiring and maintaining a license in accordance with this chapter. A person convicted of violating the provisions of this section is guilty of a serious misdemeanor.

Approved April 20, 1998

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## CHAPTER 1127

### CHILD DAY CARE

S.F. 2312

**AN ACT** providing for child day care requirements for volunteers and for the number of children receiving care under the child care home pilot projects and providing an effective date.

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

Section 1. Section 237A.3A, subsection 3, paragraph d, Code Supplement 1997, is amended to read as follows:

d. (1) Four levels of registration requirements are applicable to registered child care homes in accordance with subsections 10 through 13 and rules adopted to implement this section. The rules shall apply requirements to each level for the amount of space available per child, provider qualifications and training, and other minimum standards.

(2) The rules shall allow a child day care home to be registered at level II, III, or IV for which the provider is qualified even though the amount of space required to be available for the maximum number of children authorized for that level exceeds the actual amount of space available in that child care home. However, the total number of children authorized for the child care home at that level of registration shall be limited by the amount of space available per child.

Sec. 2. Section 237A.3A, subsection 13, paragraph a, Code Supplement 1997, is amended to read as follows:

a. Except as otherwise provided in this subsection, not more than twelve children shall be present at any one time. If more than ~~seven~~ eight children are present, a second person must be present who meets the individual qualifications for child care home registration established by rule of the department.

Sec. 3. Section 237A.5, Code Supplement 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A person who serves as an unpaid volunteer in a child day care facility shall not be required to complete training as a mandatory reporter of child abuse under section 232.69 or under any other requirement.

Sec. 4. CHILD CARE HOME PILOT PROJECTS — TRANSITION EXCEPTION. The exception provisions of this section are applicable to child care homes registering under section 237A.3A during a transition period beginning with the effective date of this Act and ending two years from that date. During the transition period, the following provisions shall apply, notwithstanding section 237A.3A:

1. A child care home provider who is providing child day care to four infants at the time of registration in the pilot project at level I, II, or III may continue to provide care to those four infants. However, if the child care home no longer provides care to one or more of the infants or one or more of the infants reaches the age of twenty-four months, the transition period exception authorized in this section shall no longer apply. The overall limitation on the number of children authorized for the level of care remains applicable.

2. A child care home provider who at the time of registration in the pilot project at level I, II, or III is providing child day care to school age children in excess of the number of school age children authorized for the registration level may continue to provide care for those children. The child care home provider may exceed the total number of children authorized for the level of registration by the number of school age children in excess of the number authorized for the registration level. This transition period exception is subject to all of the following:

a. The provider must comply with the other requirements as to number of children which are applicable to that registration level.

b. The maximum number of children attributable to the authorization for school age children at the applicable registration level is five.

c. If more than eight children are present at any one time, the provider shall be assisted by a responsible person who is at least fourteen years of age.

d. If the child care home no longer provides care to an individual school age child who was receiving care at the time of the registration, the excess number of children allowed under the transition period exception shall be reduced accordingly.

Sec. 5. CHILD DAY CARE AVAILABILITY. The department of human services shall consult with the child day care advisory council and child day care resource and referral services in studying the availability, accessibility, affordability, and quality of child day care services in the state. The report of the study shall be submitted to the governor and the general assembly by January 1, 1999. The report shall include estimates as to the need for child day care services in all areas of the state, the availability of providers versus the need, and identification of the areas with the greatest need and the extent of the need.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 20, 1998