

SENATE BILL 280

F5

(3lr1139)

ENROLLED BILL

— *Education, Energy, and the Environment/Ways and Means* —

Introduced by **Senators Gile, Jackson, Beidle, Carozza, Corderman, Elfreth, Griffith, Guzzone, James, Klausmeier, McKay, Salling, ~~and Simonaire~~ Simonaire, Augustine, Brooks, Feldman, Gallion, Hester, Kagan, Lewis Young, M. Washington, and Watson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Child Care Providers – Registration and Licensing – Exemptions**

3 FOR the purpose of exempting certain family child care homes, large family child care
4 homes, and child care centers that serve only dependent children of military
5 personnel and are located on certain federal property or certified by a branch of the
6 U.S. Department of Defense or the U.S. Coast Guard from certain registration and
7 licensing requirements for child care providers in the State; authorizing certain
8 entities and agents to assume certain responsibilities regarding the children served
9 by child care providers that are exempted from certain requirements under this Act;
10 and generally relating to registration and licensing requirements for child care
11 providers.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – Education
 3 Section 9.5–303.1
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume)

6 BY repealing and reenacting, with amendments,
 7 Article – Education
 8 Section 9.5–403
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 12 That the Laws of Maryland read as follows:

13 **Article – Education**

14 **9.5–303.1.**

15 **(A) THIS SUBTITLE DOES NOT APPLY TO A FAMILY CHILD CARE HOME OR**
 16 **LARGE FAMILY CHILD CARE HOME THAT IS:**

17 **(1) ~~LOCATED~~ SERVES ONLY DEPENDENT CHILDREN OF MILITARY**
 18 **PERSONNEL; AND**

19 **(2) (I) IS LOCATED ON A MILITARY BASE OR FEDERAL PROPERTY;**
 20 **OR**

21 **~~(2)~~ (II) ~~CERTIFIED~~ IS CERTIFIED AS A FAMILY CHILD CARE**
 22 **PROVIDER BY A BRANCH OF THE U.S. DEPARTMENT OF DEFENSE OR THE U.S.**
 23 **COAST GUARD.**

24 **(B) THE U.S. DEPARTMENT OF DEFENSE OR THE U.S. COAST GUARD, OR**
 25 **THEIR AGENTS, INCLUDING AN INSTALLATION COMMANDER OF A MILITARY BASE ON**
 26 **WHICH A FAMILY CHILD CARE HOME OR LARGE FAMILY CHILD CARE HOME IS**
 27 **LOCATED, MAY ASSUME RESPONSIBILITY FOR APPROVING OR DETERMINING WHICH**
 28 **CHILDREN MAY BE SERVED BY THE FAMILY CHILD CARE HOMES AND LARGE FAMILY**
 29 **CHILD CARE HOMES THAT ARE EXEMPT FROM THIS SUBTITLE.**

30 **9.5–403.**

31 (a) This subtitle does not supersede:

32 (1) Any right or power of the Maryland Department of Health or any local
 33 health officer;

1 (2) Any right or power of a county department of education;

2 (3) Any building code or zoning provision;

3 (4) Any right or power of the Administration within the Department of
4 Human Services or any local department; or

5 (5) Any right or power of the Department of Human Services to regulate
6 residential child care facilities.

7 (b) Notwithstanding any other provision of law, if a child care center for school
8 age children is operated before and after school hours in a building which is in use as a
9 public or private school, the school age child care center:

10 (1) Shall meet local fire, health, and zoning codes required of school
11 buildings; and

12 (2) May not be required to meet any additional regulations relative to the
13 physical plant beyond those imposed by the county or the local board of education with
14 respect to that building.

15 (c) **(1) THIS SUBTITLE DOES NOT APPLY TO A CHILD CARE CENTER THAT**
16 **IS:**

17 ~~(1)~~ **(1) LOCATED SERVES ONLY DEPENDENT CHILDREN OF**
18 **MILITARY PERSONNEL; AND**

19 **(II) 1. IS LOCATED ON A MILITARY BASE OR FEDERAL**
20 **PROPERTY; OR**

21 ~~(2)~~ **2. CERTIFIED IS CERTIFIED AS A ~~FAMILY CHILD CARE~~**
22 **PROVIDER CHILD DEVELOPMENT PROGRAM BY A BRANCH OF THE U.S.**
23 **DEPARTMENT OF DEFENSE OR THE U.S. COAST GUARD.**

24 **(2) THE U.S. DEPARTMENT OF DEFENSE OR THE U.S. COAST GUARD,**
25 **OR THEIR AGENTS, INCLUDING AN INSTALLATION COMMANDER OF A MILITARY BASE**
26 **ON WHICH A CHILD CARE CENTER IS LOCATED, MAY ASSUME RESPONSIBILITY FOR**
27 **APPROVING OR DETERMINING WHICH CHILDREN MAY BE SERVED BY THE CHILD**
28 **CARE CENTERS THAT ARE EXEMPT FROM THIS SUBTITLE.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2023.