

Introduced by Senator Battin

February 23, 2001

An act to add Section 1596.8711 to the Health and Safety Code, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

SB 793, as introduced, Battin. Child day care facilities.

Existing law makes provision for the licensure and regulation of child day care facilities, administered by the State Department of Social Services. Existing law requires the department to secure from an appropriate law enforcement agency a criminal record check on specified persons who work in or are connected with the child day care facilities and any applicant for a license or special permit to operate or manage a child day care facility. Existing law requires that an application be denied, unless an exemption is granted, if it is found that the applicant or any other designated person has been convicted of any felony or other prescribed crime.

This bill would require the department to adopt, implement, and enforce regulations requiring any state licensed child day care facility to notify parents of convictions of any felony or any other specified crime of any designated person connected with the facility, even if that person has obtained an exemption.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1596.8711 is added to the Health and
- 2 Safety Code, to read:

1 1596.8711. (a) The department shall adopt, implement, and
2 enforce regulations requiring any state licensed day care facility
3 to notify parents of all children in the facility of the conviction of
4 any felony, or any sex offense against a minor, or any offense
5 specified in Section 243.4, 273a, 273d, 273g, or 368 of the Penal
6 Code of any person operating or managing the day care facility and
7 any person specified in subdivision (b) of Section 1596.871.
8 (b) Parents shall be notified of all specified convictions,
9 regardless of whether the director has granted an exemption from
10 disqualification for a license or special permit as specified in
11 subdivision (f) of Section 1596.871.
12 (c) The licensee shall provide to each parent a copy of a
13 document, as specified by the department, which shall contain
14 information regarding any convictions specified in subdivision
15 (a). The licensee shall also obtain each parent's signature
16 indicating he or she has been provided with the document. The
17 licensee shall provide the signed document to the department,
18 when requested, for all children under the provider's care.
19 (d) The department shall promulgate regulations and policies,
20 as necessary, to implement this section by January 1, 2002.

