

AMENDED IN ASSEMBLY MAY 1, 2012  
AMENDED IN ASSEMBLY MARCH 29, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1820**

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**Introduced by Assembly Member Block**

February 21, 2012

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An act to add Section 1596.819 to the Health and Safety Code, relating to child safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1820, as amended, Block. Child safety: day care facilities: ~~push pins~~: *choking hazards*.

Existing law, the California Child Day Care Facilities Act, administered by the State Department of Social Services, provides for the licensure and regulation of child day care facilities, as defined. Willful or repeated violation of these provisions is a misdemeanor.

This bill would require a licensed child day care facility to prohibit the use or possession of ~~a push pin~~ *choking hazards, including push pins, small toys, marbles, and other items, as specified*, in any area of the facility accessible to children 6 years of age or younger. By expanding the definition of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 1596.819 is added to the Health and  
2 Safety Code, to read:  
3 1596.819. (a) A licensed child day care facility shall prohibit  
4 the use or possession of ~~push pins~~ *choking hazards, including push*  
5 *pins, small toys, marbles, and other items that measure less than*  
6 *1.75 inches in diameter* in any area of the facility accessible to  
7 children 6 years of age or younger.  
8 (b) The department shall determine compliance with this section  
9 only during a regularly scheduled, authorized inspection, and shall  
10 not be required to conduct separate and independent visits.  
11 SEC. 2. No reimbursement is required by this act pursuant to  
12 Section 6 of Article XIII B of the California Constitution because  
13 the only costs that may be incurred by a local agency or school  
14 district will be incurred because this act creates a new crime or  
15 infraction, eliminates a crime or infraction, or changes the penalty  
16 for a crime or infraction, within the meaning of Section 17556 of  
17 the Government Code, or changes the definition of a crime within  
18 the meaning of Section 6 of Article XIII B of the California  
19 Constitution.

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