

SB 170-FN - AS INTRODUCED

2023 SESSION

23-0806

06/04

SENATE BILL ***170-FN***

AN ACT relative to small group child day care centers.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Whitley, Dist 15; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5

COMMITTEE: Health and Human Services

ANALYSIS

This bill creates a definition for "small group child day care center" for child day care licensing.

This bill removes the inclusion of school age children from the definition of "child day care agency" to make licensing rules more consistent with the national fire protection association's requirements for capacity.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to small group child day care centers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Legislative Findings. The general court finds that modifying the existing family child care
2 definitions would allow new child care businesses to be formed. The child care licensing unit (CCLU)
3 recommended drafting a new category for small child care centers caring for less than 12 children in
4 commercial locations. Creation of this new rule provides alignment with National Fire Protection
5 Association (NFPA) life safety codes and provides a new option for providing small group child care
6 in a commercial setting, while meeting the more flexible mixed age rules of family care settings.

7 2 New Subparagraph; Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV by
8 inserting after subparagraph (h) the following new subparagraph:

9 (i) "Small group child day care center" means a child day-care agency in which child day
10 care is provided for not more than 12 preschool children, whether or not the service is known as day
11 nursery, nursery school, kindergarten, cooperative, child development center, day-care center, center
12 for the developmentally disabled, progressive school, Montessori school, or by any other name.

13 3 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(a) and (b) to read as follows:

14 (a) "Family day care home" means an occupied residence in which child day care is
15 provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more
16 unrelated families. The 6 children shall include any foster children residing in the home and all
17 children who are related to the caregiver except children who are 10 years of age or older. ~~[In~~
18 ~~addition to the 6 children, up to 3 children attending a full day school program may also be cared for~~
19 ~~up to 5 hours per day on school days and all day during school holidays.]~~

20 (b) "Family group day care home" means an occupied residence in which child day care is
21 provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more
22 unrelated families. The 12 children shall include all children related to the caregiver and any foster
23 children residing in the home, except children who are 10 years of age or older. ~~[In addition to the~~
24 ~~12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours~~
25 ~~per day on school days and all day during school holidays.]~~

26 4 Effective Date. This act shall take effect June 30, 2024.

LBA
23-0806
1/17/23

**SB 170-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to small group child day care centers.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Department of Health and Human Services