

Regular Session, 2010  
HOUSE BILL NO. 287

# ACT No. 569

BY REPRESENTATIVE CORTEZ AND SENATOR WALSWORTH

1 AN ACT

2 To enact R.S. 46:1427 and 1429, relative to child care facilities and child-placing agencies;  
3 to provide with respect to licensure; to provide for an exception for certain religious  
4 organizations; to provide for the parent-child relationship; to provide for a  
5 moratorium on the enforcement of rules and regulation in certain circumstances; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:1427 and 1429 are hereby enacted to read as follows:

9 §1427. Parent-child relationship

10 The Department of Social Services shall not interfere with the parent-child  
11 relationship regarding the religious training of a child, where all of the following  
12 conditions are met:

13 (1) The parent or legal guardian has enrolled their child in a child care  
14 facility, including but not limited to a child residential facility, operated by a  
15 religious, nonprofit organization which is exempt from federal income taxes pursuant  
16 to 26 U.S.C. 501(c)(3).

17 (2) Where, as a condition of enrollment, the child is required to attend  
18 religious services or classes and the parent or guardian of the child agrees to such  
19 condition.

20 \* \* \*

21 §1429. Exceptions; religious organizations

22 A recognized religious organization which is qualified as a tax-exempt  
23 organization under Section 501(c) of the Internal Revenue Code, which remains open  
24 for not more than twenty-four hours in a continuous seven-day week, and in which

1           no individual child remains for more than twenty-four hours in one continuous stay  
2           shall not be considered a "day care center" for the purposes of this Chapter.

3           Section 2. There shall hereby be a moratorium on the enforcement of any rule and  
4 regulation by the Department of Social Services upon a child care facility, including but not  
5 limited to a child residential facility, operated by a religious, nonprofit organization which  
6 is exempt from federal income taxes pursuant to 26 U.S.C. 501(c)(3), and which was not  
7 licensed as either a Class A or Class B facility on June 1, 2010, and provides childcare for  
8 not less than twenty-five hours and not more than forty hours in a continuous seven-day  
9 week. This moratorium shall terminate and cease to be effective upon July 1, 2011.

10           Section 3. This Act shall become effective upon signature by the governor or, if not  
11 signed by the governor, upon expiration of the time for bills to become law without signature  
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
14 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_