

Regular Session, 2012

HOUSE BILL NO. 993

BY REPRESENTATIVE PATRICK WILLIAMS

CHILD DAY CARE: Requires day care facilities to institute a minimum daily level of physical activity and maximum daily level of sedentary activity for children in their care

1 AN ACT

2 To enact R.S. 46:1430, relative to licensed child day care facilities; to provide for a
3 minimum standard for child physical activity; to provide for a limitation on certain
4 sedentary activities; to provide for duties of the Louisiana Advisory Council on Child
5 Care and Early Education; to provide relative to definitions, standards, and
6 guidelines for physical activity programs; to authorize the promulgation of rules; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:1430 is hereby enacted to read as follows:

10 §1430. Child physical activity requirements; exceptions

11 A. For the purposes of this Section, "screen time" shall mean a sedentary
12 activity by a child which involves the use of an electronic device, including but not
13 limited to:

14 (1) A television set.

15 (2) A device which plays movies or other video content.

16 (3) A computer.

17 (4) A video game device.

18 (5) A handheld electronic device.

1 B. Every day care center licensed pursuant to this Chapter as a Class A or
2 Class B facility shall require each child in its care who is not excepted pursuant to
3 the provisions of Subsection C of this Section to engage in no less than sixty minutes
4 of physical activity per day and no more than sixty minutes of screen time per day
5 excluding time that the child is asleep.

6 C. A licensed day care center shall not apply the activity requirements
7 provided in this Section to any child who is:

8 (1) Under the age of two years.

9 (2) Unable to engage in physical activity due to illness or disability.

10 Section 2. Prior to January 1, 2013, the Louisiana Advisory Council on Child Care
11 and Early Education shall:

12 (1) Establish standards for specific types of activities which qualify as physical
13 activity for the purposes of this Act.

14 (2) Establish guidelines and propose practices for day care facilities to effectively
15 implement physical activity programs for children. Such guidelines and practices shall
16 ensure the safety of children and promote improvements in children's health.

17 (3) Develop recommendations for ensuring compliance by day care facilities with
18 the provisions of this Act.

19 Section 3. Prior to March 1, 2013, the Department of Children and Family Services
20 shall promulgate, in accordance with the Administrative Procedure Act, all rules and
21 regulations necessary to implement the provisions of this Act. The department shall
22 incorporate in such rules the standards, guidelines, and recommendations developed by
23 Louisiana Advisory Council on Child Care and Early Education pursuant to Section 2 of this
24 Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Patrick Williams

HB No. 993

Abstract: Requires day care facilities to institute a minimum daily level of physical activity and maximum daily level of sedentary activity for children in their care.

Proposed law defines "screen time", for the purposes of proposed law, as a sedentary activity by a child which involves the use of an electronic device, including but not limited to:

- (1) A television set.
- (2) A device which plays movies or other video content.
- (3) A computer.
- (4) A video game device.
- (5) A handheld electronic device.

Proposed law provides that every day care center licensed pursuant to present law as a Class A or Class B facility shall require each child in its care who is not excepted pursuant to the provisions of proposed law to engage in no less than 60 minutes of physical activity per day and no more than 60 minutes of screen time per day excluding time that the child is asleep.

Proposed law provides that a licensed day care center shall not apply the activity requirements provided in proposed law to any child who is under the age of two years or is unable to engage in physical activity due to illness or disability.

Proposed law requires the La. Advisory Council on Child Care and Early Education to develop standards, guidelines, and recommendations before Jan. 1, 2013, for implementing the provisions of proposed law.

Proposed law requires the Dept. of Children and Family Services to promulgate rules and regulations before March 1, 2013, for implementing the provisions of proposed law. Requires that such rules and regulations incorporate material developed by the La. Advisory Council on Child Care and Early Education relating to implementing proposed law.

(Adds R.S. 46:1430)