

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1504

By: Garvin

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5
6 AS INTRODUCED

7 An Act relating to child care; amending 10 O.S. 2021,
8 Section 403, which relates to exemptions from the
9 Oklahoma Child Care Facilities Licensing Act;
10 modifying and removing exemptions; and providing an
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 10 O.S. 2021, Section 403, is
14 amended to read as follows:

15 Section 403. A. The provisions of the Oklahoma Child Care
16 Facilities Licensing Act shall not apply to:

- 17 1. Care provided in a child's own home or by relatives;
- 18 2. Informal arrangements which parents make with friends or
19 neighbors for the occasional care of their children;
- 20 3. Care provided by an attorney-in-fact authorized by Section
21 700 of this title who exercises parental or legal authority on a
22 continuous basis for not less than twenty-four (24) hours and
23 without compensation for the intended duration of the power of
24 attorney;

1 4. Programs in which school-aged children three (3) years of
2 age and older are participating in home-schooling;

3 5. Programs that serve children three (3) years of age and
4 older and that are operated during typical school hours by a public
5 school district;

6 6. Programs that serve children three (3) years of age and
7 older and that are operated during typical school hours by a private
8 school that offers elementary education in grades kindergarten
9 through third grade;

10 7. Summer youth camps, summer programs or after-school programs
11 for children who are at least four (4) years of age, that are
12 accredited by a national standard-setting agency or church camp
13 accreditation program, or are accredited by, chartered by or
14 affiliated with a national non-profit organization;

15 8. Programs in which children attend on a drop-in basis and
16 parents are on the premises and readily accessible;

17 9. A program of specialized activity or instruction for
18 children that is not designed or intended for child care purposes
19 and operates not more than ten (10) hours per week including, but
20 not limited to, scouts, 4-H clubs and summer resident youth camps,
21 programs that limit children from enrolling in multiple sessions
22 because of the type of activity or ages accepted and single-activity
23 programs such as academics, athletics, gymnastics, hobbies, art,
24 music, dance and craft instruction;

1 10. Any child care facility that:

2 a. provides care and supervision for ~~fifteen (15)~~ ten
3 (10) or fewer hours per week,

4 b. operates less than ten (10) weeks annually, or

5 c. operates in the summer for less than eight (8) hours
6 per day, ~~or~~

7 ~~d. provides care and supervision for school-aged children~~
8 ~~only in a center-based program for twenty one (21) or~~
9 ~~fewer hours a week and is located in a county with a~~
10 ~~population of less than one hundred thousand (100,000)~~
11 ~~according to the latest Federal Decennial Census;~~

12 11. Facilities whose primary purpose is medical treatment;

13 12. Boarding schools that have education as their primary
14 purpose and that are recognized as accredited by the State Board of
15 Education. To be exempt, such programs shall:

16 a. have classroom facilities that are not used for
17 residential living,

18 b. not have been granted nor have assumed legal custody
19 of any child attending the facility, and

20 c. adhere to standard educational holiday and seasonal
21 recess periods to permit students reasonable
22 opportunities to return to their primary places of
23 residence with parents or legal guardians;

1 13. Day treatment programs and maternity homes operated by a
2 licensed hospital;

3 14. Juvenile facilities certified by the Office of Juvenile
4 Affairs or certified by any other state agency authorized by law to
5 license such facilities;

6 15. A program where children are not enrolled by the parents
7 and are free to come and go;

8 16. A program in tribal land as defined at 25 U.S.C.A. 1903
9 (10); and

10 17. A program on a military base or federal property.

11 B. The provisions of the Oklahoma Child Care Facilities
12 Licensing Act shall be equally incumbent upon all private and public
13 child care facilities.

14 SECTION 2. This act shall become effective November 1, 2022.

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