

HOUSE BILL 51

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 71,
relative to child care agencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-3-503, is amended by deleting the language “(a)(1)-(11)” each time it appears and substituting instead the language “(a)(1)-(12)”.

SECTION 2. Tennessee Code Annotated, Section 71-3-503(a), is amended by adding the following language as a new subdivision:

(12) Child wellness centers, as defined by § 71-3-519.

SECTION 3. Tennessee Code Annotated, Title 71, Chapter 3, Part 5, is amended by adding the following language as a new section:

71-3-519.

(a) For purposes of this § 71-3-503(a)(12), “child wellness center” means a program within a member-based facility of not less than thirty-five thousand square feet (35,000 sq. ft.) that is operated by any private fitness entity, health facility, or entity that provides wellness and recreational programming in addition to providing child care for children between the ages of six (6) weeks and twelve (12) years while the parents or other custodians of the children participate in short-term activities within the premises; provided, that the child wellness center offers at least two (2) of the following child-specific activities within the premises:

- (1) Basketball in an official basketball gymnasium with a basketball goal not less than eight feet (8’);
- (2) Karate taught by a certified black belt instructor;
- (3) Fit Kids incorporating the presidential fitness tests and challenges;

(4) Strong Kids taught by a certified teacher or instructor with a fitness, sports, or child and family study related degree;

(5) Swim lessons taught by an instructor who is a water safety instructor or lifeguard certified by a nationally recognized organization; or

(6) Creative movement class that provides education in music and locomotor movements.

(b) The supervision or care of children, who are not involved in the child-specific activities specified in subsection (a) or subdivision (c)(3), or other types of child care related services, must be incidental to the overall purpose of the child wellness center.

(c) The child wellness center must:

(1) Offer a minimum of four (4) child wellness classes per week;

(2) Utilize at least thirty-five thousand square feet (35,000 sq. ft.) for physical fitness purposes; and

(3) Offer four (4) or more of the following activities:

(A) Fitness assessments;

(B) Racquet sports;

(C) Equipment exercise;

(D) Track or indoor walking;

(E) Swimming; or

(F) Supervised group fitness classes.

(d) Day camps conducted by the child care center must operate only during nonschool hours for not less than twelve (12) weeks per calendar year.

(e) All staff responsible for the direct delivery of services for the child wellness center including, but not limited to, child fitness and wellness programming, camps, and child care, must:

(1) Possess specialized qualifications directly related to the recreational services being offered; and

(2) Be child or infant certified in cardiopulmonary resuscitation (CPR)
within sixty (60) days of hire.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring
it.