

Representative Susan Pulsipher proposes the following substitute bill:

CHILD CARE REVISIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill modifies provisions related to caring for children.

Highlighted Provisions:

This bill:

- ▶ makes optional the requirement to obtain a certificate from the Department of Health and Human Services to provide residential child care;

Ⓢ→ ▶ limits the number of children under three years old for which a residential child care provider operating without a license may provide care; ←Ⓢ

- ▶ requires a residential child care provider operating without a license or a certificate to submit to criminal history check requirements;

- ▶ authorizes the Department of Health and Human Services to make rules regarding submission to criminal history checks;

- ▶ raises the age of a child dependent for whom an individual taxpayer may claim a child tax credit; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:



150 provisions and requirements of this part do not apply to:

- 151 (i) a facility or program owned or operated by an agency of the United States
 152 government;
- 153 (ii) group counseling provided by a mental health therapist, as defined in Section
 154 58-60-102, who is licensed to practice in this state;
- 155 (iii) a health care facility licensed under Part 2, Health Care Facility Licensing and
 156 Inspection;
- 157 (iv) care provided to a qualifying child by or in the home of a parent, legal guardian,
 158 grandparent, brother, sister, uncle, or aunt;
- 159 (v) care provided to a qualifying child, in the home of the provider, for less than four
 160 hours a day or on a sporadic basis, unless that child care directly affects or is related to a
 161 business licensed in this state;
- 162 (vi) care provided at a residential support program that is licensed by the department;
- 163 (vii) center based child care for four or ~~[less]~~ fewer qualifying children, unless the
 164 provider requests to be licensed under Section 26B-2-403; or
- 165 (viii) residential child care for ~~[six or less]~~ eight or fewer qualifying children, unless
 166 the provider requests to be licensed under Section 26B-2-403 or certified under Section
 167 26B-2-404.
- 168 (b) ~~[Notwithstanding Subsection (1)(a), a person who]~~ **§→ (i) ←§** A person that does not
 168a hold a
 169 license or certificate from the department under this part may not, at any given time, provide
 170 child care in the person's home for more than 10 children in total under the age of 13, or under
 171 the age of 18 if a child has a disability, regardless of whether a child is related to the person
 172 providing child care.
- 172a **§→ (ii) A person providing care described in Subsection (1)(a)(viii) may not provide, at any**
 172b **given time, child care in the person's home for more than** **§→ [three] two ←§** **children who**
 172c **are under three years old.** **←§**
- 173 (c) A person **§→ providing care ←§** described in Subsection (1)(a)(viii) that is not a
 173a certified provider or a
 174 licensed provider under this part is subject to the requirements of Section 26B-2-406.
- 175 (2) The licensing and certification requirements of this part do not apply to:
- 176 (a) care provided to a qualifying child as part of a course of study at or a program
 177 administered by an educational institution that is regulated by the boards of education of this
 178 state, a private education institution that provides education in lieu of that provided by the
 179 public education system, or by a parochial education institution;
- 180 (b) care provided to a qualifying child by a public or private institution of higher