

**CHILD CARE EXEMPTIONS AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Parley G. Hellewell**

House Sponsor: \_\_\_\_\_

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**LONG TITLE****General Description:**

This bill amends the Utah Child Care Licensing Act.

**Highlighted Provisions:**

This bill:

- repeals the Utah Child Care Licensing Act exemption for educational institutions.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:****26-39-106**, as last amended by Chapter 158, Laws of Utah 1998

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*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **26-39-106** is amended to read:**26-39-106. Exclusions from chapter.**

The provisions and requirements of this chapter do not apply to:

- (1) a facility or program owned or operated by an agency of the United States government;
- (2) group counseling provided by a mental health therapist, as defined in Section



28 58-60-102, who is licensed to practice in this state;  
29 (3) a health care facility licensed pursuant to Title 26, Chapter 21, Health Care Facility  
30 [~~Licensure~~] Licensing and Inspection Act;  
31 (4) care provided to children by or in the homes of parents, legal guardians,  
32 grandparents, brothers, sisters, uncles, or aunts; and  
33 (5) care provided to children, in the home of the provider, for less than four hours a day  
34 or on a sporadic basis, unless that child care directly affects or is related to a business licensed  
35 in this state[~~, or~~].  
36 [~~(6) care provided as part of a course of study at or a program administered by an~~  
37 ~~educational institution that is regulated by the boards of education of this state, a private~~  
38 ~~education institution that provides education in lieu of that provided by the public education~~  
39 ~~system, or by a parochial education institution.~~]

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**Legislative Review Note****as of 1-16-06 10:06 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**State Impact**

The provisions of this bill will increase revenue to the General Fund by \$69,000 every other year and requires an ongoing General Fund appropriation of \$69,000 every year starting in FY 2007. The General Fund may be matched with Federal Child Care Grant Funds of \$161,000. Federal cut-backs could reduce the amount of funds available to the State. Any reduction of Federal Funds would have to be offset with additional General Fund.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$69,000	\$69,000	\$69,000	\$5,000
Federal Funds	\$161,000	\$161,000	\$161,000	\$161,000
<b>TOTAL</b>	<b>\$230,000</b>	<b>\$230,000</b>	<b>\$230,000</b>	<b>\$166,000</b>

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**Individual and Business Impact**

Certain child care providers that were previously exempt from licensure will be required to pay a licensing fee of \$300 plus \$3.00 per child every other year.

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**Office of the Legislative Fiscal Analyst**