

**Representative Ashlee Matthews** proposes the following substitute bill:

**STATE CHILD CARE AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ashlee Matthews**

Senate Sponsor: Luz Escamilla

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**LONG TITLE**

**General Description:**

This bill addresses on-site child care for state employees.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ allows an agency to establish an on-site child care center for the benefit of the agency's employees;
- ▶ requires a child care provider that operates an on-site child care center to maintain liability insurance coverage;
- ▶ allows an agency to charge a reasonable fee for the use of the agency's facility as an on-site child care center;
- ▶ provides for agency consultation in establishing an on-site child care center; and
- ▶ provides that the state is not liable for civil damages resulting from the operation of an on-site child care center.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None



26 **Utah Code Sections Affected:**

27 ENACTS:

28 [63A-17-808](#), Utah Code Annotated 1953

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30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **63A-17-808** is enacted to read:

32 **63A-17-808. On-site child care for state employees.**

33 (1) As used in this section:

34 (a) "Child care" means the same as that term is defined in Section [35A-3-201](#).

35 (b) "Licensed child care provider" means a person who holds a license from the  
36 Department of Health and Human Services to provide center based child care in accordance  
37 with Title 26, Chapter 39, Utah Child Care Licensing Act.

38 (c) "On-site child care center" means a child care center established in a facility that is  
39 owned or operated by an agency.

40 (2) An agency may enter into a contract with a licensed child care provider to operate  
41 an on-site child care center for the benefit of the agency's employees.

42 (3) A licensed child care provider that operates an on-site child care center for an  
43 agency shall maintain professional liability insurance.

44 (4) (a) An agency may charge a licensed child care provider a reasonable fee for  
45 operating an on-site child care center so that the agency incurs no expense.

46 (b) The fee in Subsection (4)(a) shall include costs for utility, building maintenance,  
47 and administrative services supplied by the agency that are related to the operation of the  
48 on-site child care center.

49 (5) An agency may consult with the Office of Child Care within the Department of  
50 Workforce Services, the Department of Health and Human Services, and the Division of  
51 Facilities Construction and Management for assistance in establishing an on-site child care  
52 center.

53 (6) The state is not liable for any civil damages for acts or omissions resulting from the  
54 operation of an on-site child care center.