

Moved by LukerSeconded by DurstIN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO S.B. NO. 1112, As Amended

AMENDMENT TO SECTION 2

1 On page 3 of the engrossed bill, in line 8, delete "four (4)" and insert: "seven (7)".

AMENDMENT TO SECTION 3

2 On page 4, delete lines 1 and 2, and insert:

3 "(5) The provision of care for children of ~~only one (1) immediate~~ a family ~~in addition to~~
4 ~~the person's own children~~ within the second degree of relationship."

AMENDMENT TO SECTION 4

5 On page 4, delete lines 21 and 22, and insert: "the department. No charge for any rein-
6 pection after the initial inspection in any license period shall be made to the ~~day care center~~
7 daycare facility."

AMENDMENT TO SECTION 6

8 On page 5, delete lines 12 through 15, and insert: "~~of a license~~ The department shall send
9 a renewal application to the owner of the daycare facility no later than ninety (90) days prior
10 to the expiration of an existing license. The owner shall submit to the department the renewal
11 application with the required renewal fee and a criminal history check prior to the expiration of
12 the existing license. A complete criminal history check shall be provided for any new persons
13 requiring a criminal history check in accordance with section 39-1105, Idaho Code. A limited
14 criminal history check shall be provided for those persons eighteen (18) years of age or older
15 who where previously checked. The limited criminal history check shall include:"; and follow-
16 ing line 23, insert:

17 "(5) Submission of a renewal application, fee and required criminal history check shall
18 entitle the daycare facility owner to continue daycare services, subject to action by the depart-
19 ment pursuant to section 39-1113, Idaho Code."

AMENDMENT TO SECTION 7

20 On page 5, in line 27, delete "not exceed one hundred" and insert: "not exceed one hun-
21 dred"; delete lines 28 through 32, and insert: "seventy-five dollars (\$100.0075) for daycare
22 centers and one hundred dollars (\$100) for group daycare facilities. ~~The board shall allocate~~
23 the fee for fire and health inspections and for the eCriminal history check. ~~The board shall also~~
24 establish a renewal fee which shall not exceed sixty dollars (\$60.00) fees shall be in addition,
25 but at actual cost. No other fees shall be charged for each license period. The department may
26 allocate the fees to daycare licensing administration costs as it deems appropriate."; and delete
27 lines 33 through 40, and insert:

28 "(2) The applicable license fee in subsection (1) of this section shall be reduced by
29 twenty five percent (25%) for any day care facility which provides evidence that at least fifty
30

1 ~~percent (50%) of its staff is certified in infant/child first aid and pediatric rescue breathing de-~~
 2 ~~partment is authorized to utilize Idaho child care program funds as otherwise allowed by law~~
 3 ~~to pay for the costs associated with certification and licensing of daycare facilities to the extent~~
 4 ~~that fees collected from the facilities do not fully cover such costs. It is the intent of the leg-~~
 5 ~~islature that licensing fees and Idaho child care program funds shall fully fund daycare facility~~
 6 ~~licensing administration."~~

7 AMENDMENT TO SECTION 9

8 On page 6, in line 15, delete "the International Fire Code as adopted by Idaho and"; delete
 9 lines 23 and 24; in line 25, delete "(e)" and insert: "(d)"; in line 26, delete "(f)" and insert:
 10 "(e)"; and in line 29, delete "(g)" and insert: "(f)".

11 On page 7, in line 10, delete "(h)" and insert: "(g)".

12 On page 8, in line 7, delete "Group daycare" and insert: "Daycare"; and in line 12, delete
 13 "Group Daycare" and insert: "Daycare".

14 AMENDMENT TO THE BILL

15 On page 9, following line 3, insert:

16 "SECTION 11. That Section 39-1111, Idaho Code, be, and the same is hereby amended
 17 to read as follows:

18 39-1111. RULES AUTHORIZED. In order to implement the provisions of this chapter,
 19 the ~~following rule making authority is authorized:~~

20 ~~(1) The state fire marshal, in addition to other duties imposed by law, is hereby autho-~~
 21 ~~rized and directed to establish rules necessary to implement the provisions of sections 39-1109~~
 22 ~~and 39-1114, Idaho Code;~~

23 ~~(2) District health boards, in addition to other duties imposed by law, are hereby autho-~~
 24 ~~rized and directed to establish necessary health standards to implement the provisions of section~~
 25 ~~39-1110, Idaho Code; and~~

26 ~~(3) The board department, in addition to other duties imposed by law, is hereby autho-~~
 27 ~~rized and directed through rulemaking to establish procedures necessary to implement the pro-~~
 28 ~~visions of this chapter including procedure for submission of required certificates as provided in~~
 29 ~~sections 39-1109 and 39-1110, Idaho Code, and to conduct of the criminal history check pro-~~
 30 ~~vided in section 39-1105, Idaho Code.~~

31 The ~~rule making~~ rulemaking authority granted in this section shall be limited to the spe-
 32 cific standards and procedures required by this chapter.

33 SECTION 12. That Chapter 11, Title 39, Idaho Code, be, and the same is hereby amended
 34 by the addition thereto of a NEW SECTION, to be known and designated as Section 39-1112A,
 35 Idaho Code, and to read as follows:

36 39-1112A. ACCESS TO INFORMATION. The department shall make available to day-
 37 care consumers an informational pamphlet, created by the department, to educate daycare con-
 38 sumers with informational tools useful in identifying quality daycare. The department may
 39 deliver pamphlets during direct contact with daycare consumers, or by delivering pamphlets to
 40 daycare providers during the licensing or renewal process, during inspections or through other
 41 appropriate means. The pamphlet shall include:

1 (1) The importance of parents being vigilant for the safety, emotional health and training
2 of their children that cannot be replaced by any other institution or individual;

3 (2) The basic characteristics of a quality daycare;

4 (3) A strong suggestion to parents to inquire about criminal history checks for any
5 provider in a family daycare home;

6 (4) A link to a department approved website that contains more detailed information; and

7 (5) A department or other phone number for parents to report unsafe, dangerous or harm-
8 ful activities within the daycare."

9 AMENDMENT TO SECTION 11

10 On page 9, in line 4, delete "SECTION 11" and insert: "SECTION 13"; in line 13, delete
11 "Injuring" and insert: "~~Injuring~~ Felony injury of"; and also in line 13, delete "felony or misde-
12 meanor"; and on page 10, following line 25, insert:

13 "(o) Misdemeanor injury to a child, section 18-1501(2), Idaho Code.";
14 in line 27, delete "any of the following:" and insert: "that the daycare facility is not in compli-
15 ance with the standards provided for in this chapter or criminal activity that threatens the health
16 or safety of a child."; and delete lines 28 through 36.

17 AMENDMENT TO SECTION 12

18 On page 10, in line 43, delete "SECTION 12" and insert: "SECTION 14".

19 On page 11, in line 1, delete "~~Any person providing day care in a group day~~" and delete
20 lines 2 through 5, and insert: "(1) Any person providing day care daycare for four (4) or more
21 children in a group day care facility family daycare home shall not be required to be licensed,
22 but shall comply with the requirements of section 39-1105, Idaho Code, for a criminal history
23 check and shall obtain a fire inspection certificate establishing compliance with the standards
24 provided in section 39-1109, Idaho Code.

25 (2) The fire inspections for group day care facilities may be";
26 following line 8, insert: "(3)"; and in line 10, delete "four (4) children" and insert: "seven (7)
27 children".

28 AMENDMENT TO SECTION 13

29 On page 11, in line 12, delete "SECTION 13" and insert: "SECTION 15".

30 AMENDMENT TO SECTION 14

31 On page 11, in line 32, delete "SECTION 14" and insert: "SECTION 16".

32 AMENDMENT TO SECTION 15

33 On page 11, in line 37, delete "SECTION 15" and insert: "SECTION 17".

34 On page 12, delete line 1 and insert: "~~or a group day care facility to which a certificate is~~
35 ~~issued~~ is free from".

36 AMENDMENT TO SECTION 16

37 On page 12, in line 6, delete "SECTION 16" and insert: "SECTION 18".

38 AMENDMENT TO THE BILL

39 On page 12, delete lines 29 through 35.

1 AMENDMENT TO SECTION 18

2 On page 12, in line 36, delete "SECTION 18" and insert: "SECTION 19".

3 AMENDMENT TO SECTION 19

4 On page 12, in line 41, delete "SECTION 19" and insert: "SECTION 20".

5 CORRECTIONS TO TITLE

6 On page 1, in line 6, following "TERMINOLOGY" insert: "AND TO REVISE AN
7 EXCEPTION"; in line 9, delete "TO REMOVE"; in line 10, delete "A PROHIBITION
8 ON REINSPECTION CHARGES,"; in line 11, delete "A TECHNICAL CORRECTION"
9 and insert: "TECHNICAL CORRECTIONS"; in line 16, following "RENEWAL," insert:
10 "TO PROVIDE FOR CERTAIN LICENSE RENEWAL PROCEDURES,"; in line 17, delete
11 "LIMITED"; in line 19, following "YEARS OF AGE" insert: ", TO PROVIDE FOR A
12 CERTAIN ENTITLEMENT FOLLOWING CERTAIN SUBMISSIONS"; in line 21, following
13 "RENEWAL FEE," insert: "TO PROVIDE FOR CERTAIN LICENSE FEES FOR DAYCARE
14 CENTERS AND GROUP DAYCARE FACILITIES, TO PROVIDE FOR AN ADDITIONAL
15 CRIMINAL HISTORY CHECK FEE,"; in line 23, following "LICENSE FEES," insert: "TO
16 REVISE ALLOCATIONS OF LICENSE FEES,"; in line 24, following "EXCEPTION" insert:
17 ", TO AUTHORIZE THE DEPARTMENT OF HEALTH AND WELFARE TO UTILIZE
18 CERTAIN FUNDS FOR CERTAIN PURPOSES, TO STATE LEGISLATIVE INTENT"; in
19 line 28, delete "TO REQUIRE COMPLIANCE WITH A CERTAIN"; in line 29, delete
20 "INTERNATIONAL FIRE SAFETY CODE,"; in line 36, following "TERMINOLOGY;"
21 insert: "AMENDING SECTION 39-1111, IDAHO CODE, TO REVISE RULEMAKING
22 AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 11,
23 TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1112A, IDAHO
24 CODE, TO PROVIDE FOR ACCESS TO INFORMATION;".

25 On page 2, in line 1, following "FACILITY LICENSE" insert: "UNDER CERTAIN CIR-
26 CUMSTANCES"; in line 4, delete "TO REMOVE REQUIREMENTS" and insert: "TO RE-
27 VISE A CRIMINAL HISTORY CHECK REQUIREMENT, TO REMOVE A FIRE INSPEC-
28 TION CERTIFICATE REQUIREMENT,"; delete line 5; in line 6, delete "AND CRIMINAL
29 HISTORY CHECKS,"; in line 8, following "PROVISIONS" insert: ", TO MAKE TECHNI-
30 CAL CORRECTIONS"; in line 20, delete "AMENDING"; delete lines 21 through 24; and in
31 line 25, delete "PROVIDE CORRECT TERMINOLOGY;".