

HB0329/156081/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 329
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “or a law enforcement officer to visit and serve a certain civil citation to” and substitute “or the State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal to visit, and authorizing the employees of the Department to serve a civil citation to,”; in line 8, after “Department” insert “, the Department sends a warning letter to the child care provider or child care center, and the child care provider or child care center does not respond within a certain period of time or responds in a certain manner”; and strike beginning with “authorizing” in line 9 down through the semicolon in line 14 and substitute “authorizing the State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal to take certain actions authorized by law; authorizing a certain penalty for advertising certain child care services without being licensed;”.

On page 2, in line 3, strike “(g)” and substitute “(f)”.

AMENDMENT NO. 2

On page 4, in line 17, after “**DEPARTMENT;**” insert “AND”; strike beginning with “; **AND**” in line 19 down through “**LAW**” in line 21; strike beginning with “**IF**” in line 22 down through “**AN**” in line 24 and substitute “AN”; in line 26, strike “**OR A LAW ENFORCEMENT OFFICER**” and substitute “, THE STATE FIRE MARSHAL, A DEPUTY STATE FIRE MARSHAL, A SPECIAL ASSISTANT STATE FIRE MARSHAL, OR A LOCAL FIRE MARSHAL”; in line 26, strike “**AND**” and substitute “OF A CHILD CARE PROVIDER, AND THE EMPLOYEE OF THE DEPARTMENT MAY”; in line 28, after “**CARE**” insert “IF”:

(Over)

(I) THE CHILD CARE PROVIDER ADVERTISES A FAMILY CHILD CARE HOME OR LARGE FAMILY CHILD CARE HOME THAT IS NOT REGISTERED UNDER THE PROVISIONS OF THIS PART V OF THIS SUBTITLE;

(II) THE DEPARTMENT SENDS A WARNING LETTER TO THE CHILD CARE PROVIDER; AND

(III) THE CHILD CARE PROVIDER:

1. DOES NOT RESPOND TO THE DEPARTMENT WITHIN 10 BUSINESS DAYS AFTER THE DEPARTMENT SENDS THE WARNING LETTER; OR

2. RESPONDS TO THE DEPARTMENT IN A MANNER THAT DOES NOT ADEQUATELY ADDRESS THE CHARGE IN THE WARNING LETTER.

(4) THE STATE FIRE MARSHAL, A DEPUTY STATE FIRE MARSHAL, A SPECIAL ASSISTANT STATE FIRE MARSHAL, OR A LOCAL FIRE MARSHAL WHO VISITS A CHILD CARE CENTER UNDER PARAGRAPH (3) OF THIS SUBSECTION MAY TAKE ANY ACTION AUTHORIZED UNDER § 6-316 OF THE PUBLIC SAFETY ARTICLE, THE STATE FIRE PREVENTION CODE, OR A LOCAL FIRE PREVENTION CODE”;

and in line 30, strike “OR A LAW ENFORCEMENT OFFICER”.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 1 through 13, inclusive.

AMENDMENT NO. 4

On page 5, in line 15, strike “§ 5-552” and substitute “**§ 5-552(A)**”; in lines 17, 18, 24, 28, 29, and 30, in each instance, strike the brackets; in lines 17, 18, 24, 28, 29, and

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30, strike “\$3,000”, “\$5,000”, “\$2,500”, “\$500”, “\$1,000”, and “\$2,500”, respectively; and in line 26, after “§ 5-552(A)” insert “OR (C)”.

On page 6, strike in their entirety lines 1 through 6, inclusive; in lines 7, 9, and 14, in each instance, strike the brackets; and in lines 7, 9, and 14, strike “(3)”, “(4)”, and “\$10,000”, respectively.

On page 8, in line 23, strike “OR (E)”; in the same line, strike “§ 5-582” and substitute “§ 5-582(A)”; in lines 25 and 26, in each instance, strike the brackets; and in lines 25 and 26, strike “\$3,000” and “\$5,000”, respectively.

On page 9, in lines 3 and 18, in each instance, strike the brackets; in lines 3 and 18, strike “\$2,500” and “\$10,000”, respectively; strike beginning with “(1)” in line 4 down through “(2)” in line 10; and in line 10, strike “§ 5-574(E)” and substitute “§ 5-574(A) OR (E) OR § 5-582”.

AMENDMENT NO. 5

On page 7, in line 19, after “DEPARTMENT;” insert “AND”; in line 20, after “(II)” insert “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,”; strike beginning with “; AND” in line 21 down through “LAW” in line 23; after line 23, insert:

“(3) AN ADVERTISEMENT FOR MULTIPLE CHILD CARE CENTERS OPERATED BY A SINGLE LICENSEE SHALL STATE THE LICENSE NUMBER OF AT LEAST ONE OF THE CHILD CARE CENTERS THAT THE LICENSEE OPERATES.”;

in line 24, strike “(3)” and substitute “(4)”; strike beginning with “IF” in line 24 down through “AN” in line 25 and substitute “AN”; in line 27, strike “OR A LAW ENFORCEMENT OFFICER” and substitute “, THE STATE FIRE MARSHAL, A DEPUTY STATE FIRE MARSHAL, A SPECIAL ASSISTANT STATE FIRE MARSHAL, OR A LOCAL”

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FIRE MARSHAL"; in line 28, strike "AND" and substitute ", AND THE EMPLOYEE OF THE DEPARTMENT MAY"; and in line 29, after "CARE" insert "IF:"

(I) A PERSON ADVERTISES A CHILD CARE CENTER THAT IS NOT LICENSED UNDER THE PROVISIONS OF THIS PART VII OF THIS SUBTITLE;

(II) THE DEPARTMENT SENDS A WARNING LETTER TO THE PERSON; AND

(III) THE PERSON:

1. DOES NOT RESPOND TO THE DEPARTMENT WITHIN 10 BUSINESS DAYS AFTER THE DEPARTMENT SENDS THE WARNING LETTER; OR

2. RESPONDS TO THE DEPARTMENT IN A MANNER THAT DOES NOT ADEQUATELY ADDRESS THE CHARGE IN THE WARNING LETTER.

(5) THE STATE FIRE MARSHAL, A DEPUTY STATE FIRE MARSHAL, A SPECIAL ASSISTANT STATE FIRE MARSHAL, OR A LOCAL FIRE MARSHAL WHO VISITS A CHILD CARE CENTER UNDER PARAGRAPH (4) OF THIS SUBSECTION MAY TAKE ANY ACTION AUTHORIZED UNDER § 6-316 OF THE PUBLIC SAFETY ARTICLE, THE STATE FIRE PREVENTION CODE, OR A LOCAL FIRE PREVENTION CODE".

On pages 7 and 8, strike in their entirety the lines beginning with line 30 on page 7 through line 10 on page 8, inclusive; and in line 11, strike "(G)" and substitute "(F)".

On page 8, in lines 12 and 13 and 19 and 20, in each instance, strike "OR A LAW ENFORCEMENT OFFICER".