
By: **Senator Exum**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Family Day Care Providers - Adult to Child Ratio - Home Safety**
3 **Enhancements**

4 FOR the purpose of altering the age of children for which a family day care provider
5 is required to maintain a certain adult to child ratio; requiring certain safety
6 enhancements in a provider's home under certain circumstances; requiring the
7 Department of Human Resources to adopt certain regulations; and generally
8 relating to the requisite adult to child ratio in a day care provider's home.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 5-553
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2001 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Family Law**

17 5-553.

18 (a) For purposes of this Part V of this subtitle, a day care provider's own
19 children under the age of 2 years shall be counted as children served.

20 (b) (1) At any given time, a day care provider may not care for more than 8
21 children, of whom no more than 4 may be under the age of 2 years.

22 (2) [An] SUBJECT TO THE PROVISIONS OF SUBSECTION (C) OF THIS
23 SECTION, AN adult to child ratio of at least 1 adult to every 2 children under the age
24 of 2 years shall be maintained at all times.

25 (c) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B)(2) OF THIS
26 SECTION, A DAY CARE PROVIDER MAY CARE FOR 2 CHILDREN UNDER THE AGE OF 18
27 MONTHS, AND A THIRD CHILD BETWEEN 18 AND 24 MONTHS, IF:

1 (I) AUTOMATIC SPRINKLERS ARE INSTALLED THROUGHOUT THE
2 HOME;

3 (II) SMOKE DETECTORS IN THE HOME ARE WIRED DIRECTLY INTO
4 THE STRUCTURE'S ELECTRICAL SYSTEM AND ARE INTERCONNECTED, WITH
5 BATTERY BACKUP;

6 (III) SMOKE DETECTORS IN THE HOME PROVIDE AUTOMATIC
7 NOTIFICATION TO THE LOCAL FIRE DEPARTMENT IN THE EVENT OF A FIRE
8 EMERGENCY;

9 (IV) CHILDREN ARE LOCATED AT GRADE LEVEL AT ALL TIMES;

10 (V) THE PROVIDER HAS BEEN IN BUSINESS FOR AT LEAST 2 YEARS;
11 AND

12 (VI) THE PROVIDER HAS UNDERGONE ADDITIONAL EVACUATION
13 TRAINING.

14 (2) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT PROVIDE FOR
15 ADDITIONAL EVACUATION TRAINING FOR A PROVIDER WHO WISHES TO BE IN
16 COMPLIANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

17 (D) If the Department determines that the group size provisions of subsection
18 (b) OR SUBSECTION (C) of this section are unsuitable for a particular family day care
19 home, the Department may decrease the number of children permitted to be in care at
20 that family day care home.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2002.