

HOUSE BILL 292

F5

3lr1079
CF 3lr1139

By: **Delegates Patterson, Acevero, Allen, Bagnall, D. Barnes, Bartlett, Boaf, Chang, Crosby, Fennell, Griffith, Guyton, Harris, Henson, Howard, D. Jones, Lopez, Mireku–North, M. Morgan, T. Morgan, Pruski, Rogers, Simmons, and Simpson**

Introduced and read first time: January 25, 2023

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Child Care Providers – Registration and Licensing – Exemptions**

3 FOR the purpose of exempting certain family child care homes, large family child care
4 homes, and child care centers located on certain federal property or certified by a
5 branch of the U.S. Department of Defense or the U.S. Coast Guard from certain
6 registration and licensing requirements for child care providers in the State; and
7 generally relating to registration and licensing requirements for child care providers.

8 BY adding to

9 Article – Education

10 Section 9.5–303.1

11 Annotated Code of Maryland

12 (2022 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Education

15 Section 9.5–403

16 Annotated Code of Maryland

17 (2022 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 **9.5–303.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **THIS SUBTITLE DOES NOT APPLY TO A FAMILY CHILD CARE HOME OR LARGE**
2 **FAMILY CHILD CARE HOME THAT IS:**

3 **(1) LOCATED ON A MILITARY BASE OR FEDERAL PROPERTY; OR**

4 **(2) CERTIFIED AS A FAMILY CHILD CARE PROVIDER BY A BRANCH OF**
5 **THE U.S. DEPARTMENT OF DEFENSE OR THE U.S. COAST GUARD.**

6 9.5–403.

7 (a) This subtitle does not supersede:

8 (1) Any right or power of the Maryland Department of Health or any local
9 health officer;

10 (2) Any right or power of a county department of education;

11 (3) Any building code or zoning provision;

12 (4) Any right or power of the Administration within the Department of
13 Human Services or any local department; or

14 (5) Any right or power of the Department of Human Services to regulate
15 residential child care facilities.

16 (b) Notwithstanding any other provision of law, if a child care center for school
17 age children is operated before and after school hours in a building which is in use as a
18 public or private school, the school age child care center:

19 (1) Shall meet local fire, health, and zoning codes required of school
20 buildings; and

21 (2) May not be required to meet any additional regulations relative to the
22 physical plant beyond those imposed by the county or the local board of education with
23 respect to that building.

24 **(C) THIS SUBTITLE DOES NOT APPLY TO A CHILD CARE CENTER THAT IS:**

25 **(1) LOCATED ON A MILITARY BASE OR FEDERAL PROPERTY; OR**

26 **(2) CERTIFIED AS A FAMILY CHILD CARE PROVIDER BY A BRANCH OF**
27 **THE U.S. DEPARTMENT OF DEFENSE OR THE U.S. COAST GUARD.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2023.