

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 292
Ways and Means

(Delegate Patterson, *et al.*)

Education, Energy, and the Environment

Child Care Providers - Registration and Licensing - Exemptions

This bill exempts a family child care home, large family child care home, and a child care center from State registration and licensing requirements if the entity (1) serves only dependent children of military personnel and (2) is located on a military base or federal property or is certified as a family child care provider or child development program by a branch of the U.S. Department of Defense (DOD) or the U.S. Coast Guard (USCG). DOD or USCG or their agents, including an installation commander of a military base on which a family child care home, large family child care home, or a child care center is located, may assume responsibility for approving or determining which children may be served by the relevant child care providers. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: Subject to limited exception, family child care homes, large family child care homes, and child care centers may not operate in the State unless they are registered/licensed. The State Board of Education is required to adopt regulations that relate to the registration of family child care homes and large family child care homes and the licensing and operation of child care centers. A family child care home is a residence in which family child care is provided for up to 8 children. A large family child care home

is a residence in which family child care is provided for at least 9 children, but not more than 12 children. A child care center is an agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage except as otherwise provided for in law or regulation.

Small Business Effect: Any family child care home, large family child care home, or child care center in the State that qualifies as a small business and meets the bill's exemption criteria may benefit from the bill's changes. Under the bill, such entities are no longer subject to licensing and registration by the Maryland State Department of Education. Assuming these small businesses are already subject to federal requirements, the bill may, in certain circumstances, reduce the need to meet duplicative State and federal registration and licensing requirements.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 280 (Senator Gile, *et al.*) - Education, Energy, and the Environment.

Information Source(s): Military Department; Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2023
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