

SENATE BILL 252

F5

(PRE-FILED)

5lr0079
CF HB 150

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Education)**

Requested: October 7, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 11, 2025

CHAPTER _____

1 AN ACT concerning

2 **Child Care Centers – Certificated Staff Ratio Requirement – Repeal**

3 FOR the purpose of repealing a requirement that certain child care centers have in
4 attendance a certain ratio of staff to children who hold a certificate in first aid and
5 cardiopulmonary resuscitation under certain circumstances; and generally relating
6 to child care centers and staffing requirements.

7 BY repealing and reenacting, without amendments,

8 Article – Education

9 Section 9.5–404(a)

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Education

14 Section 9.5–404(b)

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2024 Supplement)

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

19 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9.5–404.

2 (a) The State Board shall adopt rules and regulations for licensing and operating
3 child care centers.

4 (b) These rules and regulations shall:

5 (1) Ensure safe and sanitary conditions in child care centers;

6 (2) Ensure proper care, protection, and supervision of children in child care
7 centers;

8 (3) Ensure the health of children in child care centers by:

9 (i) Monitoring children for signs and symptoms of child abuse;

10 (ii) Instructing licensees and staff concerning child abuse detection
11 and reporting;

12 (iii) Monitoring health practices to help prevent the spread of disease;

13 (iv) Monitoring the care of infants and children with special needs;
14 and

15 (v) Prohibiting the administration of corporal punishment to
16 discipline a child;

17 (4) Promote the sound growth and development of children in child care
18 centers;

19 (5) Promote proper nutrition and developmentally appropriate practices
20 by:

21 (i) Establishing training and policies promoting breast–feeding;

22 (ii) 1. Requiring compliance with the United States Department
23 of Agriculture Child and Adult Care Food Program standards for beverages served to
24 children, except that milk that is not nonfat or low fat may be ordered by a health care
25 practitioner or requested by a parent or guardian; and

26 2. Prohibiting beverages other than infant formula that
27 contain added sweetener or caffeine; and

28 (iii) Setting limits on screen time;

1 (6) Carry out otherwise the purposes and requirements of this subtitle,
2 including imposition of intermediate sanctions to ensure compliance;

3 (7) Prohibit a child from remaining at a child care center for more than 14
4 hours in 1 day unless the Department issues an exception for that child based on guidelines
5 set by the State Superintendent;

6 (8) [(i)] Require that a child care center have in attendance at all times
7 at least 1 individual who is responsible for supervision of children, including children on
8 field trips, and who holds a current certificate indicating successful completion of approved:

9 [1.] (I) Basic first aid training through the American Red
10 Cross or through a program with equivalent standards; and

11 [2.] (II) Cardiopulmonary resuscitation (CPR) training
12 through the American Heart Association or through a program with equivalent standards
13 appropriate for the ages of children for whom care is provided in the child care center; [and

14 (ii) Require that a child care center serving more than 20 children
15 have in attendance certificate holders described in item (i) of this item in a ratio of at least
16 1 certificate holder for every 20 children;]

17 (9) Require that the minimum age of a child care teacher in a child care
18 center be at least 18 years old and an individual may not be precluded from being a child
19 care teacher solely for being 18 years old;

20 (10) (i) Require that a child care center that receives notice of a
21 contaminated drinking water supply from the child care center's supplier of water, in
22 accordance with § 9-410 of the Environment Article or otherwise, send notice of the
23 drinking water contamination to the parent or legal guardian of each child attending the
24 child care center; and

25 (ii) Require that the notice sent by the child care center shall:

26 1. Be sent within 10 business days after receipt of the notice
27 of contamination from the child care center's water supplier;

28 2. Be in writing;

29 3. Identify the contaminants and their levels in the center's
30 water supply; and

31 4. Describe the child care center's plan for dealing with the
32 water contamination problem until the child care center's water is determined by the
33 appropriate authority to be safe for consumption;

1 (11) (i) Require a child care center to have a written emergency
2 preparedness plan for emergency situations that require evacuation, sheltering in place, or
3 other protection of children, such as in the event of fire, natural disaster, or other
4 threatening situation that may pose a health or safety hazard to the children in the child
5 care center;

6 (ii) Require the plan under item (i) of this item to include:

7 1. A designated relocation site and evacuation route;

8 2. Procedures for notifying parents or other adults
9 responsible for the child of the relocation;

10 3. Procedures to address the needs of individual children,
11 including children with special needs;

12 4. Procedures for the reassignment of staff duties during an
13 emergency, as appropriate; and

14 5. Procedures for communicating with local emergency
15 management officials or other appropriate State or local authorities; and

16 (iii) Require a child care center to train staff and ensure that staff are
17 familiar with the plan;

18 (12) Require a child care center to have window coverings in accordance with
19 § 5–505 of the Family Law Article; and

20 (13) Subject to subsection (c) of this section, establish probationary
21 employment qualifications for an individual who is applying for the first time to be a child
22 care teacher in a child care center in the State that serves preschool or school–age children
23 who are at least 3 years old.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2025.