
SUBSTITUTE HOUSE BILL 1621

State of Washington

62nd Legislature

2011 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Orwall, Kagi, and Maxwell; by request of Department of Early Learning)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to technical corrections to department of early
2 learning statutes; and amending RCW 43.215.532 and 43.215.555.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.215.532 and 2005 c 509 s 1 are each amended to read
5 as follows:

6 (1) Notwithstanding RCW ((74.15.030)) 43.215.020, counties with a
7 population of three thousand or less may adopt and enforce ordinances
8 and regulations as provided in this section for family day-care
9 providers as defined in RCW ((74.15.020(1)(f))) 43.215.010 as a twelve-
10 month pilot project. Before a county may regulate family day-care
11 providers in accordance with this section, it shall adopt ordinances
12 and regulations that address, at a minimum, the following: (a) The
13 size, safety, cleanliness, and general adequacy of the premises; (b)
14 the plan of operation; (c) the character, suitability, and competence
15 of a family day-care provider and other persons associated with a
16 family day-care provider directly responsible for the care of children
17 served; (d) the number of qualified persons required to render care;
18 (e) the provision of necessary care, including food, clothing,
19 supervision, and discipline; (f) the physical, mental, and social well-

1 being of children served; (g) educational and recreational
2 opportunities for children served; and (h) the maintenance of records
3 pertaining to children served.

4 (2) The county shall notify the department (~~(of social and health~~
5 ~~services))~~) in writing sixty days prior to adoption of the family day-
6 care regulations required pursuant to this section. The transfer of
7 jurisdiction shall occur when the county has notified the department in
8 writing of the effective date of the regulations, and shall be limited
9 to a period of twelve months from the effective date of the
10 regulations. Regulation by counties of family day-care providers as
11 provided in this section shall be administered and enforced by those
12 counties. The department shall not regulate these activities nor shall
13 the department bear any civil liability (~~(under chapter 74.15 RCW))~~) for
14 the twelve-month pilot period. Upon request, the department shall
15 provide technical assistance to any county that is in the process of
16 adopting the regulations required by this section, and after the
17 regulations become effective.

18 (3) Any county regulating family day-care providers pursuant to
19 this section shall report to the governor and the appropriate
20 committees of the legislature concerning the outcome of the pilot
21 project upon expiration of the twelve-month pilot period. The report
22 shall include the ordinances and regulations adopted pursuant to
23 subsection (1) of this section and a description of how those
24 ordinances and regulations address the specific areas of regulation
25 identified in subsection (1) of this section.

26 **Sec. 2.** RCW 43.215.555 and 1988 c 213 s 3 are each amended to read
27 as follows:

28 (1) The legislature recognizes that a severe shortage of child care
29 exists to the detriment of all families and employers throughout the
30 state. Many workers are unable to enter or remain in the workforce due
31 to a shortage of child care resources. The high costs of starting a
32 child care business create a barrier to the creation of new slots,
33 especially for children with special needs.

34 (2) A child care expansion grant fund is created in the custody of
35 the (~~(secretary of the department of social and health services))~~
36 director. Grants shall be awarded on a one-time only basis to persons,
37 organizations, or schools needing assistance to start a child care

1 center or mini-center as defined by the department by rule, or to
2 existing licensed child care providers, including family home
3 providers, for the purpose of making capital improvements in order to
4 accommodate (~~handicapped~~) children with disabilities as defined under
5 chapter 72.40 RCW, sick children, or infant care, or children needing
6 night time care. No grant may exceed ten thousand dollars. Start-up
7 costs shall not include operational costs after the first three months
8 of business.

9 (3) Child care expansion grants shall be awarded on the basis of
10 need for the proposed services in the community, within appropriated
11 funds.

12 (4) The department shall adopt rules under chapter 34.05 RCW
13 setting forth criteria, application procedures, and methods to assure
14 compliance with the purposes described in this section.

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