

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 951, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Scott

Scott-DC-FS-Req#4006  
3/9/2020 5:09 PM

(Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 951

By: Scott of the Senate

and

6 Nollan of the House

7  
8  
9 FLOOR SUBSTITUTE

10 An Act relating to child care; amending 10 O.S. 2011,  
11 Section 404, as last amended by Section 1, Chapter  
12 280, O.S.L. 2018 (10 O.S. Supp. 2019, Section 404),  
13 which relates to minimum requirements and standards;  
14 modifying appointment procedure for certain advisory  
15 committee; modifying purpose of advisory committee;  
16 modifying committee membership; transferring certain  
17 duties; modifying requirement to consult with certain  
18 state entities; and declaring an emergency.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 10 O.S. 2011, Section 404, as last  
21 amended by Section 1, Chapter 280, O.S.L. 2018 (10 O.S. Supp. 2019,  
22 Section 404), is amended to read as follows:

23 Section 404. A. 1. The Department of Human Services, ~~in~~  
24 ~~consultation with the Oklahoma Commission on Children and Youth,~~  
shall appoint ~~advisory committees~~ an advisory committee of

1 representatives of licensed child care facilities and others to  
2 recommend:

3 a. prepare minimum requirements and desirable standards  
4 for promulgation by the Department, and

5 b. provide advice, recommendations and guidance regarding  
6 concerns brought by child care facilities or referred  
7 by the Department to assist facilities in meeting  
8 minimum requirements.

9 2. Committee members shall be appointed for ~~a three year term,~~  
10 ~~with a two consecutive term limit.~~ The committees shall include  
11 ~~representation for all categories of facilities licensed by the~~  
12 ~~Department and shall be comprised as follows:~~

13 a. ~~the Residential Children's Services subcommittee shall~~  
14 ~~include at a minimum:~~

15 ~~(1) a representative of a statewide organization~~  
16 ~~representing children in care arrangements~~  
17 ~~outside their own home,~~

18 ~~(2) a representative of a statewide organization~~  
19 ~~providing residential services to youth in state~~  
20 ~~custody,~~

21 ~~(3) a recipient or former recipient of youth services~~  
22 ~~for children in state custody,~~

23 ~~(4) a representative of a statewide organization~~  
24 ~~promoting adoption services,~~

1 ~~(5) a parent or guardian providing foster care to a~~  
2 ~~child or children in state custody,~~

3 ~~(6) a representative from a nonpublic, long-term~~  
4 ~~residential care facility for children in state~~  
5 ~~custody,~~

6 ~~(7) a representative from an organization promoting~~  
7 ~~the interests of Native American children in~~  
8 ~~state custody,~~

9 ~~(8) a provider of medical services for children,~~

10 ~~(9) a practicing behavioral health services provider,~~

11 ~~(10) a representative from an agency providing child-~~  
12 ~~placing services, and~~

13 ~~(11) other appropriate representatives at the~~  
14 ~~discretion of the Department of Human Services~~  
15 ~~and Commission on Children and Youth,~~

16 ~~b. the Child Care Centers subcommittee shall include at a~~  
17 ~~minimum:~~

18 ~~(1) a representative of a statewide organization~~  
19 ~~advocating for children in care arrangements~~  
20 ~~outside their own home,~~

21 ~~(2) a representative of a statewide organization~~  
22 ~~conducting programs for school-age children,~~

23 ~~(3) a parent or guardian with a child attending a~~  
24 ~~licensed child care facility,~~

- 1 ~~(4) a representative of a licensed child care~~  
2 ~~facility in a rural area,~~
- 3 ~~(5) a representative of a statewide organization~~  
4 ~~advocating for licensed child care facilities~~  
5 ~~owned or operated by Native Americans,~~
- 6 ~~(6) a representative of a licensed child care~~  
7 ~~facility in an urban/suburban area,~~
- 8 ~~(7) a representative of a statewide organization~~  
9 ~~advocating for programs provided under the Head~~  
10 ~~Start program,~~
- 11 ~~(8) a representative with knowledge of child care~~  
12 ~~programs offered by career technology center in~~  
13 ~~this state,~~
- 14 ~~(9) a representative of a statewide organization~~  
15 ~~advocating for early childhood education~~  
16 ~~programs,~~
- 17 ~~(10) a representative of a statewide organization~~  
18 ~~providing resources and referrals to child care~~  
19 ~~facilities,~~
- 20 ~~(11) a provider of medical services for children, and~~  
21 ~~(12) other appropriate representatives at the~~  
22 ~~discretion of the Department of Human Services~~  
23 ~~and Commission on Children and Youth,~~
- 24

1 ~~e. the Child Care Homes subcommittee shall include at a~~  
2 ~~minimum:~~

3 ~~(1) a representative of a statewide organization~~  
4 ~~advocating for children in care arrangements~~  
5 ~~outside their own home,~~

6 ~~(2) a parent or guardian with a child receiving care~~  
7 ~~at a licensed child care home,~~

8 ~~(3) a representative of a licensed child care home in~~  
9 ~~a rural area,~~

10 ~~(4) a representative of a statewide organization~~  
11 ~~advocating for licensed child care facilities~~  
12 ~~owned or operated by Native Americans,~~

13 ~~(5) a representative of a licensed child care home in~~  
14 ~~an urban/suburban area,~~

15 ~~(6) a representative of a statewide organization~~  
16 ~~advocating for early childhood education~~  
17 ~~programs,~~

18 ~~(7) a representative of a statewide organization~~  
19 ~~providing resources and referrals to child care~~  
20 ~~facilities,~~

21 ~~(8) a provider of medical services for children, and~~

22 ~~(9) other appropriate representatives at the~~  
23 ~~discretion of the Department of Human Services~~  
24 ~~and Commission on Children and Youth, and~~

1 ~~d. the Quality Rating and Improvement System subcommittee~~  
2 ~~shall include representatives of child care centers~~  
3 ~~and child care homes currently licensed by the State~~  
4 ~~and other members as determined by the Department of~~  
5 ~~Human Services and the Commission on Children and~~  
6 ~~Youth~~

7 terms as provided by the bylaws of the advisory committee. A  
8 majority of the committee shall be representatives of licensed child  
9 care programs.

10 3. The Department shall create a Child Care Facility Peer  
11 Review Board whose purpose shall be to participate in the  
12 Department's grievance process. A majority of the Board shall be  
13 representatives of child care facilities. The ~~Department~~ Director  
14 of Human Services shall promulgate rules specifying the duties of  
15 the Child Care Facility Peer Review Board in the grievance process.

16 4. The ~~advisory committee~~ Department shall designate two ~~people~~  
17 members of the advisory committee to serve on the Department's Stars  
18 Administrative Review Panel. At least one designee shall be the  
19 owner or operator of a licensed child care center.

20 B. Child care facilities shall not allow children to be left  
21 alone in the care of any person under eighteen (18) years of age  
22 without supervision or sixteen (16) years of age with supervision as  
23 delineated by the Department's rules. Child care centers and family  
24 child care homes shall not:

1           1. Use soft or loose bedding, including, but not limited to,  
2 blankets, in sleeping equipment or in sleeping areas used only for  
3 infants;

4           2. Allow toys or educational devices in sleeping equipment or  
5 in a sleeping area used only for infants; or

6           3. Place a child in sleeping equipment or in a sleeping area  
7 which has not been previously approved for use as such by the  
8 Department.

9           C. The ~~Department~~ Director shall promulgate rules establishing  
10 minimum requirements and desirable standards as may be deemed  
11 necessary or advisable to carry out the provisions of the Oklahoma  
12 Child Care Facilities Licensing Act.

13           D. Such rules shall not be promulgated until after consultation  
14 with the State Department of Health, the State Department of  
15 Education, the Oklahoma State Bureau of Investigation, the State  
16 Fire Marshal, the Oklahoma Commission on Children and Youth, the  
17 ~~Oklahoma~~ Department of Mental Health and Substance Abuse Services,  
18 the Office of Juvenile Affairs, the State Advisory Council on Early  
19 Childhood Education and Care, and any other agency deemed necessary  
20 by the Department. Not less than sixty (60) days' notice, by  
21 regular mail, shall be given to all current licensees before any  
22 changes are made in such rules.

23           E. In order to improve the standards of child care, the  
24 Department shall advise and cooperate with licensees, the governing



1 bodies and staff of licensed child care facilities and assist the  
2 staff through advice of progressive methods and procedures, and  
3 suggestions for the improvement of services.

4 F. The Department may participate in federal programs for child  
5 care services, and enter into agreements or plans on behalf of the  
6 state for that purpose, in accordance with federal laws and  
7 regulations.

8 SECTION 2. It being immediately necessary for the preservation  
9 of the public peace, health or safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

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