

SENATE BILL 280

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3lr1139
CF HB 292

By: **Senators Gile, Jackson, Beidle, Carozza, Corderman, Elfreth, Griffith, Guzzone, James, Klausmeier, McKay, Salling, and Simonaire**

Introduced and read first time: January 26, 2023

Assigned to: Education, Energy, and the Environment

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.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

9.5–403.

(a) This subtitle does not supersede:

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

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

(3) Any building code or zoning provision;

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

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

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

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

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

(c) THIS SUBTITLE DOES NOT APPLY TO A CHILD CARE CENTER THAT IS:

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

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

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