

HB 2027-2  
(LC 322)  
3/22/19 (MNJ/ps)

Requested by HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING (at the request of Representative Keny-Guyer)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2027**

1 On page 1 of the printed bill, line 2, after “329A.030,” insert “329A.120,  
2 329A.250,”.

3 On page 6, line 38, delete “described in ORS 329A.250 (5)(d)” and insert  
4 “operated by a school district as defined in ORS 332.002, a political subdivi-  
5 sion of this state or a governmental agency”.

6 On page 12, after line 31, insert:

7 **“SECTION 11.** ORS 329A.120 is amended to read:

8 “329A.120. (1) The Office of Child Care shall implement the resource and  
9 referral system.

10 “(2) Resource and referral entities must provide services including, but  
11 not limited to:

12 “(a) Training and technical assistance for existing and potential child  
13 care providers that includes, but is not limited to, coaching, mentoring,  
14 consulting and advising on professional development;

15 “(b) Referrals for parents or guardians seeking child care providers;  
16 [*and*] **or**

17 “(c) Recruitment of qualified individuals to meet the child care needs of  
18 a community.

19 **“SECTION 12.** ORS 329A.250, as amended by section 2, chapter 115,  
20 Oregon Laws 2018, is amended to read:

21 “329A.250. As used in ORS 329A.030 and 329A.250 to 329A.450, unless the

1 context requires otherwise:

2 “(1) ‘Babysitter’ means a person who goes into the home of a child to give  
3 care during the temporary absence of the parent or legal guardian or custo-  
4 dian.

5 “(2) ‘Certification’ means the certification that is issued under ORS  
6 329A.280 by the Office of Child Care to a family child care home, child care  
7 center or other child care facility.

8 “(3) ‘Child’ means a child under 13 years of age or a child under 18 years  
9 of age who has special needs or disabilities and requires a level of care that  
10 is above normal for the child’s age.

11 “(4) Subject to ORS 329A.440, ‘child care’ means the care, supervision and  
12 guidance on a regular basis of a child, unaccompanied by a parent, guardian  
13 or custodian, provided to a child during a part of the 24 hours of the day,  
14 in a place other than the child’s home, with or without compensation. ‘Child  
15 care’ does not include care provided:

16 “(a) In the home of the child;

17 “(b) By the child’s parent, guardian, or person acting in loco parentis;

18 “(c) By a person related to the child by blood or marriage within the  
19 fourth degree as determined by civil law;

20 “(d) On an occasional basis by a person not ordinarily engaged in pro-  
21 viding child care;

22 “(e) By providers of medical services;

23 “(f) By a babysitter;

24 “(g) By a person who cares for children from only one family other than  
25 the person’s own family;

26 “(h) By a person who cares for no more than three children other than  
27 the person’s own children; or

28 “(i) By a person who is a member of the child’s extended family, as de-  
29 termined by the office on a case-by-case basis.

30 “(5) ‘Child care facility’ means any facility that provides child care to

1 children, including a day nursery, nursery school, child care center, certified  
2 or registered family child care home or similar unit operating under any  
3 name, but not including any:

4 “(a) Preschool recorded program.

5 “(b) Facility providing care for school-age children that is primarily a  
6 single enrichment activity, for eight hours or less a week.

7 “(c) Facility providing care that is primarily group athletic or social ac-  
8 tivities sponsored by or under the supervision of an organized club or hobby  
9 group.

10 “[*d*] Facility operated by:]

11 “[*A*] A school district as defined in ORS 332.002;]

12 “[*B*] A political subdivision of this state; or]

13 “[*C*] A governmental agency.]

14 “[*e*] (d) Residential facility licensed under ORS 443.400 to 443.455.

15 “[*f*] (e) Babysitters.

16 “[*g*] (f) Facility operated as a parent cooperative for no more than four  
17 hours a day.

18 “[*h*] (g) Facility providing care while the child’s parent remains on the  
19 premises and is engaged in an activity offered by the facility or in other  
20 nonwork activity.

21 “[*i*] (h) Facility operated as a school-age recorded program.

22 “(6) ‘Family’ has the meaning given that term in ORS 329.145.

23 “(7) ‘Occasional’ means that care is provided for no more than 70 days in  
24 any calendar year.

25 “(8) ‘Parent cooperative’ means a child care program in which:

26 “(a) Care is provided by parents on a rotating basis;

27 “(b) Membership in the cooperative includes parents;

28 “(c) There are written policies and procedures; and

29 “(d) A board of directors that includes parents of the children cared for  
30 by the cooperative controls the policies and procedures of the program.

1 “(9) ‘Preschool recorded program’ means a facility providing care for  
2 preschool children that is primarily educational for four hours or less per  
3 day and where no child is present at the facility for more than four hours  
4 per day.

5 “(10) ‘Record’ means the record that is issued under ORS 329A.255 to a  
6 preschool recorded program or under ORS 329A.257 to a school-age recorded  
7 program.

8 “(11) ‘Registration’ means the registration that is issued under ORS  
9 329A.330 by the Office of Child Care to a family child care home where care  
10 is provided in the family living quarters of the provider’s home.

11 “(12) ‘School age’ means of an age eligible to be enrolled in kindergarten  
12 or above on or before the first day of the current school year.

13 “(13) ‘School-age recorded program’ means a program for school-age chil-  
14 dren:

15 “(a) That is not operated by a school district as defined in ORS 332.002;

16 “(b) That is not required to be certified under ORS 329A.280 or registered  
17 under ORS 329A.330; and

18 “(c) In which youth development activities are provided to children during  
19 hours that school is not in session and does not take the place of a parent’s  
20 care.

21 “(14) ‘Youth development activities’ means care, supervision or guidance  
22 that is intended for enrichment, including but not limited to teaching skills  
23 or proficiency in physical, social or educational activities such as tutoring,  
24 music lessons, social activities, sports and recreational activities.”.

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