

HB 2484 A STAFF MEASURE SUMMARY**Carrier:** Rep. Power**House Committee On Early Childhood****Action Date:** 04/07/21**Action:** Do pass with amendments and rescind subsequent referral to Housing. (Printed A-Eng.)**Vote:** 8-0-0-0**Yeas:** 8 - Lively, Neron, Power, Reynolds, Schouten, Weber, Wright, Zika**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Lisa Gezelter, LPRO Analyst**Meeting Dates:** 2/8, 3/29, 4/7**WHAT THE MEASURE DOES:**

Requires landlords to allow tenant's use of a dwelling as a family child care home if certified or registered and notification provided. Requires landlord to take reasonable steps to cooperate with tenant. Allows tenants to enforce requirements under ORS 90.360. Allows landlord to require tenant to pay in advance for costs of modifications. Allows landlord to prohibit use not allowed under zoning or association's governing documents. Allows landlord to prohibit use not allowed under rules established by Early Learning Council. Allows landlord to require that tenant require parents to agree that landlord is not liable for losses or injuries and either require parents to acknowledge that tenant (provider) does not maintain liability coverage for losses from injuries or carry a liability policy. Allows landlord to require that tenant carry and maintain surety bond or liability policy. Exempts housing for older persons. Prohibits landlord from retaliation if tenant uses dwelling as family child care home. Allows Early Learning Council to establish by rule reasonable requirements for landlords of tenants who operate certified family child care homes. Requires Early Learning Council to establish by rule reasonable requirements for landlords of tenants who operate registered family child care homes.

ISSUES DISCUSSED:

- Experiences of child care providers seeking rental properties
- Liability insurance
- Ability of state to regulate uses of private property

EFFECT OF AMENDMENT:

Replaces sections 2 and 3 of the measure. Requires landlords to allow tenant's use of a dwelling as a family child care home if certified or registered and notification provided. Requires landlord to take reasonable steps to cooperate with tenant. Allows tenants to enforce requirements under ORS 90.360. Allows landlord to require tenant to pay in advance for costs of modifications. Allows landlord to prohibit use not allowed under zoning or association's governing documents. Allows landlord to prohibit use not allowed under rules established by Early Learning Council. Allows landlord to require that tenant require parents to agree that landlord is not liable for losses or injuries and either require parents to acknowledge that tenant (provider) does not maintain liability coverage for losses from injuries or carry a liability policy. Allows landlord to require that tenant carry and maintain surety bond or liability policy. Exempts housing for older persons. Prohibits landlord from retaliation if tenant uses dwelling as family child care home.

BACKGROUND:

The Office of Child Care oversees two types of family child care homes: certified and registered. ORS 329A.280 establishes the Office of Child Care's responsibility to certify family child care homes, defined as single family dwellings where providers care for no more than 16 children. ORS 329A.330 establishes the Office of Child Care's

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responsibility to register family child care homes where providers care for a maximum of 10 children.
House Bill 2484 A requires landlords to allow tenants to operate child care businesses under certain circumstances.