

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1517

Short Title: Clarify Definition of Child Care. (Public)

Sponsors: Representatives Carney, Vinson (Primary Sponsors); and Current.

Referred to: Children, Youth and Families.

April 21, 2005

A BILL TO BE ENTITLED
AN ACT TO CLARIFY THE DEFINITION OF CHILD CARE AS RELATED TO
DROP-IN OR SHORT-TERM CARE UNDER THE LAWS PERTAINING TO
CHILD CARE FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 110-86(2) reads as rewritten:

"§ 110-86. Definitions.

Unless the context or subject matter otherwise requires, the terms or phrases used in this Article shall be defined as follows:

...

- (2) Child care. – A program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. Child care does not include the following:
- a. Arrangements operated in the home of any child receiving care if all of the children in care are related to each other and no more than two additional children are in care;
 - b. Recreational programs operated for less than four consecutive months in a year;
 - c. Specialized activities or instruction such as athletics, dance, art, music lessons, horseback riding, gymnastics, or organized clubs for children, such as Boy Scouts, Girl Scouts, 4-H groups, or boys and girls clubs;
 - d. Drop-in or short-term care provided while parents participate in activities that are not employment ~~related~~-related, except for part-time employees working less than two and one-half hours

- 1 per day, and where the parents are on the premises or otherwise
2 easily accessible, such as drop-in or short-term care provided in
3 health spas, bowling alleys, shopping malls, resort hotels, or
4 churches;
5 e. Public schools;
6 f. Nonpublic schools described in Part 2 of Article 39 of Chapter
7 115C of the General Statutes that are accredited by the Southern
8 Association of Colleges and Schools and that operate a child
9 care facility as defined in subdivision (3) of this section for less
10 than six and one-half hours per day either on or off the school
11 site;
12 g. Bible schools conducted during vacation periods;
13 h. Care provided by facilities licensed under Article 2 of Chapter
14 122C of the General Statutes;
15 i. Cooperative arrangements among parents to provide care for
16 their own children as a convenience rather than for
17 employment; and
18 j. Any child care program or arrangement consisting of two or
19 more separate components, each of which operates for four
20 hours or less per day with different children attending each
21 component.

22"

23 **SECTION 2.** This act is effective when it becomes law.