

By: Reeves, Smith (35th)

To: Public Health and Welfare

HOUSE BILL NO. 1066

1 AN ACT TO AMEND SECTION 43-20-5, MISSISSIPPI CODE OF 1972, TO  
2 EXEMPT FROM THE CHILD CARE LICENSING LAW ANY SCHOOL THAT IS A  
3 MEMBER OF THE ASSOCIATION OF CHRISTIAN SCHOOLS INTERNATIONAL; AND  
4 FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 43-20-5, Mississippi Code of 1972, is  
7 amended as follows:

8 43-20-5. When used in this chapter, the following words  
9 shall have the following meanings:

10 (a) "Child care facility" means a place which provides  
11 shelter and personal care for six (6) or more children who are not  
12 related within the third degree computed according to the civil  
13 law to the operator and who are under thirteen (13) years of age,  
14 for any part of the 24-hour day, whether such place be organized  
15 or operated for profit or not. The term "child care facility"  
16 includes day nurseries, day care centers and any other facility  
17 that falls within the scope of the definitions set forth above,  
18 regardless of auspices. The following shall be exempt from this  
19 chapter:

20 (i) Child care facilities which operate for no  
21 more than two (2) days a week, whose primary purpose is to provide  
22 respite for the caregiver or temporary care during other scheduled  
23 or related activities and organized programs which operate for  
24 three (3) or less weeks per year such as, but not limited to,  
25 vacation bible schools and scout day camps \* \* \*.

26 (ii) \* \* \* Any child residential home as defined  
27 in, and in compliance with the provisions of, Section 43-16-3(b)

28 et seq.

29           (iii) \* \* \* Any elementary, including  
30 kindergarten, and/or secondary school system, accredited by the  
31 Mississippi State Department of Education, the Southern  
32 Association of Colleges and Schools or the Mississippi Private  
33 School Education Association.

34           (iv) Any Headstart program operating in  
35 conjunction with an elementary school system, whether it be  
36 public, private or parochial, whose primary purpose is a  
37 structured school or school readiness program.

38           (v) \* \* \* Any membership organization affiliated  
39 with a national organization which charges only a nominal annual  
40 membership fee, does not receive monthly, weekly or daily payments  
41 for services, and is certified by its national association as  
42 being in compliance with the association's minimum standards and  
43 procedures, including, but not limited to, the Boys and Girls Club  
44 of America, and the YMCA.

45           (vi) Any school that is a member of the  
46 Association of Christian Schools International.

47 All other preschool child care programs and/or extended day  
48 school programs must meet requirements set forth in this chapter.

49           (b) "Health" means that condition of being sound in  
50 mind and body and encompasses an individual's physical, mental and  
51 emotional welfare.

52           (c) "Safety" means that condition of being protected  
53 from hurt, injury or loss.

54           (d) "Person" means any person, firm, partnership,  
55 corporation or association.

56           (e) "Operator" means any person, acting individually or  
57 jointly with another person or persons, who shall establish, own,  
58 operate, conduct or maintain a child care facility.

59           (f) "Personal care" means assistance rendered by  
60 personnel of the child care facility in performing one or more of

61 the activities of daily living, which includes, but is not limited  
62 to, the feeding, personal grooming, supervising and dressing of  
63 children placed in the child care facility.

64 (g) "Licensing agency" means the Mississippi State  
65 Department of Health.

66 SECTION 2. This act shall take effect and be in force from  
67 and after July 1, 2000.