

By: Senator(s) Nunnelee

To: Public Health and Welfare

SENATE BILL NO. 2860

1 AN ACT TO AMEND SECTION 43-20-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MEMBERSHIP OF THE CHILDCARE ADVISORY COUNCIL IN THE
3 STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 43-20-11 AND
4 43-20-13, MISSISSIPPI CODE OF 1972, TO INCREASE LICENSURE FEES FOR
5 CHILD CARE FACILITIES; AND FOR RELATED PURPOSES.

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

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

9 43-20-7. (1) There is hereby created an advisory council
10 which shall be appointed by the State Health Officer, who shall
11 serve at the pleasure of the State Health Officer.

12 (2) The advisory council shall consist of twelve (12)
13 persons, six (6) of whom shall be licensed child care providers,
14 and six (6) of whom shall represent child care professional
15 organizations, child advocacy groups, child care
16 associations * * * or state agencies which provide child care
17 funding, education or services. No more than four (4) members
18 shall be appointed from any one (1) state Supreme Court district.

19 (3) It shall be the duty of the advisory council to assist
20 and advise the licensing agency in the development of regulations
21 governing the licensure and regulation of child care facilities.

22 (4) Members of the advisory council shall be reimbursed for
23 mileage and expenses as is authorized by law.

24 **SECTION 2.** Section 43-20-11, Mississippi Code of 1972, is
25 amended as follows:

26 43-20-11. An application for a license under this chapter
27 shall be made to the licensing agency upon forms provided by it,
28 and shall contain such information as the licensing agency may

29 reasonably require. Each application for a license shall be
30 accompanied by a license fee not to exceed Four Hundred Dollars
31 (\$400.00), which shall be paid to the licensing agency. Licenses
32 shall be granted to applicants upon the filing of properly
33 completed application forms, accompanied by payment of the said
34 license fee, and a certificate of inspection and approval by the
35 fire department of the municipality or other political subdivision
36 in which the facility is located, and by a certificate of
37 inspection and approval by the health department of the county in
38 which the facility is located, and approval by the licensing
39 agency; except that if no fire department exists where the
40 facility is located, the State Fire Marshal shall certify as to
41 the inspection for safety from fire hazards. Said fire, county
42 health department and licensing agency inspections and approvals
43 shall be based upon regulations promulgated by the licensing
44 agency as approved by the State Board of Health.

45 Each license shall be issued only for the premises and person
46 or persons named in the application and shall not be transferable
47 or assignable except with the written approval of the licensing
48 agency. Licenses shall be posted in a conspicuous place on the
49 licensed premises.

50 No governmental entity or agency shall be required to pay the
51 fee or fees set forth in this section.

52 **SECTION 3.** Section 43-20-13, Mississippi Code of 1972, is
53 amended as follows:

54 43-20-13. A license issued under the provisions of this
55 chapter shall be renewed upon payment of a renewal fee not to
56 exceed Four Hundred Dollars (\$400.00) per year and upon filing by
57 the licensee of a report upon such uniform dates and upon forms
58 provided by the licensing agency, accompanied by a current
59 certificate of inspection and approval by the fire department and
60 the county health department specified in Section 43-20-11.

61 No governmental entity or agency shall be required to pay the
62 fee or fees set forth in this section.

63 **SECTION 4.** This act shall take effect and be in force from
64 and after July 1, 2007.