

HOUSE BILL NO. 336

INTRODUCED BY E. BUTTREY, A. BUCKLEY, J. CARLSON, J. SMALL, S. FITZPATRICK, J. ELLSWORTH

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING STATE RECOGNITION FOR FAMILY CHILD-CARE PROVIDERS THAT ARE LICENSED BY A BRANCH OF THE UNITED STATES ARMED FORCES, INCLUDING THE UNITED STATES COAST GUARD; AND AMENDING SECTION 52-2-721, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 52-2-721, MCA, is amended to read:

**"52-2-721. License required -- registration required -- term of license or registration certificate - no fee charged.** (1) A person, group of persons, or corporation may not:

(a) establish or maintain a day-care center for children, in which day care is provided on a regular basis, unless licensed to do so by the department;

(b) operate a family day-care home or group day-care home without first procuring a family day-care or group day-care registration certificate from the department.

(2) The license and registration certificate must contain the ages and numbers of children for whom day care may be provided.

(3) The applicant's own children must be included in the manner provided for in department regulations in the total number of children to be cared for under the license or registration certificate.

(4) The department:

(a) may issue a license or registration certificate that remains in effect for a period not to exceed 3 years; and

(b) may not charge a fee to issue a license or registration certificate.

(5) A 3-year license may be issued only to a provider who has not received notice of any deficiencies on the licensing criteria and implementing guidelines that are provided in department rule.

(6) The department may issue a license to a day-care center in which day care is provided on an irregular basis if the person operating the center chooses to apply for licensure.

1           (7) The department shall recognize the status of and may not require a state license for a facility  
2      that is licensed as a family child-care provider by a branch of the United States armed forces, including the  
3      United States coast guard."

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