
HOUSE BILL 2191

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Scott, Shea, Taylor, Short, and Overstreet

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1 AN ACT Relating to compliance with inspections of child care
2 facilities; amending RCW 43.215.210; and adding a new section to
3 chapter 43.215 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.215 RCW
6 to read as follows:

7 (1) The department may not require any alterations of a child care
8 facility due to inconsistencies with requirements in chapter 19.27 RCW
9 unless the department receives notification from a city or county
10 enforcement official in accordance with RCW 19.27.050 that an
11 alteration of the child care facility is required.

12 (2) For the purpose of child care licensing, a city or county
13 enforcement official in accordance with RCW 19.27.050 has the authority
14 and it is the official's duty to develop an agreed upon timeline of
15 compliance with applicants for licenses under this chapter to correct
16 any identified regulation violations.

17 (3) The department must pay all fees associated with building code
18 inspections that are required for child care licensing.

1 (4) The department's request for inspections shall be limited to
2 licensed child care space.

3 (5) The department may not modify, suspend, or revoke child care
4 license or business activities while the department is waiting for
5 appropriate agency inspections, unless there is imminent danger for
6 children or staff. If the appropriate agencies do not find imminent
7 danger for children or staff, the department will be held responsible
8 for business losses due to the modification, suspension, or revocation.

9 (6) For the purposes of this section and RCW 43.215.210, "child
10 care facility" means a family day care home, school-aged care, and
11 child day care center.

12 **Sec. 2.** RCW 43.215.210 and 2013 c 227 s 1 are each amended to read
13 as follows:

14 (1) The chief of the Washington state patrol, through the director
15 of fire protection, shall have the power and it shall be his or her
16 duty:

17 ~~((1))~~ (a) In consultation with the director and with the advice
18 and assistance of persons representative of the various type agencies
19 to be licensed, to adopt recognized minimum standard requirements
20 pertaining to each category of agency established pursuant to this
21 chapter necessary to protect all persons residing therein from fire
22 hazards;

23 ~~((2))~~ (b) To adopt licensing minimum standard requirements to
24 allow children who attend classes in a school building during school
25 hours to remain in the same building to participate in before-school or
26 after-school programs and to allow participation in such before-school
27 and after-school programs by children who attend other schools and are
28 transported to attend such before-school and after-school programs;

29 ~~((3))~~ (c) To make or cause to be made such inspections and
30 investigations of agencies as he or she deems necessary;

31 ~~((4))~~ (d) To make a periodic review of requirements under RCW
32 43.215.200~~((5))~~ (8) and to adopt necessary changes after consultation
33 as required in (a) of this subsection ~~((1) of this section)~~;

34 ~~((5))~~ (e) To develop an agreed upon timeline of compliance with
35 applicants for licenses under this chapter to correct any identified
36 minimum standard violations; and

1 (f) To issue to applicants for licenses under this chapter who
2 comply with the requirements, a certificate of compliance, a copy of
3 which shall be presented to the department before a license shall be
4 issued, except that an initial license may be issued as provided in RCW
5 43.215.280.

6 (2) The department may not require any alterations applicable to
7 the local building code of a child care facility due to inconsistencies
8 with minimum standard requirements established in accordance with
9 subsection (1)(a) of this section unless the department receives
10 notification from the chief of the Washington state patrol, through the
11 director of fire protection, that an alteration applicable to the local
12 building code is required of the child care facility.

13 (3) The department must pay all fees associated with fire hazard
14 inspections that are required for child care licensing.

15 (4) The department's request for inspections shall be limited to
16 licensed child care space.

17 (5) The department may not modify, suspend, or revoke child care
18 license or business activities while the department is waiting for
19 appropriate agency inspections, unless there is imminent danger for
20 children or staff. If the appropriate agencies do not find imminent
21 danger for children or staff, the department will be held responsible
22 for business losses due to the modification, suspension, or revocation.

23 (6) As used in this section, "child care facility" has the
24 definition in section 1 of this act.

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