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SENATE BILL 6234

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Padden and Hargrove

Read first time 01/17/14. Referred to Committee on Human Services & Corrections.

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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