
**PRELIMINARY DRAFT
No. 3113**

**PREPARED BY
LEGISLATIVE SERVICES AGENCY
2010 GENERAL ASSEMBLY**

DIGEST

Citations Affected: IC 12-17.2-2.5-1; IC 12-17.2-2.5-3; IC 12-17.2-6.

Synopsis: Child care ministries. Requires the division of family resources to establish a child care advisory committee for child care ministries. Specifies certain requirements for registration of child care ministries.

Effective: July 1, 2010.



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-17.2-2.5-1, AS ADDED BY P.L.126-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 1. The division shall establish a child care
4 advisory committee for each of the following categories of child care:

5 (1) Child care homes.

6 (2) Child care centers.

7 **(3) Child care ministries.**

8 SECTION 2. IC 12-17.2-2.5-3, AS ADDED BY P.L.126-2007,
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2010]: Sec. 3. Each committee must consist of members
11 appointed:

12 (1) by the director or the director's designee; and

13 (2) to provide diversity in representing the types of child care that
14 comprise the committee's category specified in section 1 of this
15 chapter, including size, licensure **or registration** status,
16 accreditation status, and geographic location in Indiana.

17 SECTION 3. IC 12-17.2-6-2, AS AMENDED BY P.L.1-2006,
18 SECTION 193, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2010]: Sec. 2. An unlicensed child care
20 ministry under section 1 of this chapter may not operate unless the
21 child care ministry has registered with and met the requirements of **this**
22 **chapter**, the division, and the division of fire and building safety.
23 Registration forms shall be provided by the division and the division of
24 fire and building safety.

25 SECTION 4. IC 12-17.2-6-4, AS AMENDED BY P.L.16-2006,
26 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2010]: Sec. 4. (a) The division shall inspect a child care
28 ministry registered under section 2 of this chapter to ensure that the
29 child care ministry complies with:

30 **(1) this chapter; and**

31 **(2) the rules of the division adopted under IC 12-17.2-2-5(a).**



- 1 (b) The division shall make an inspection described in subsection
 2 (a):
 3 (1) at least semiannually; and
 4 (2) additionally as determined necessary by the division, but not
 5 more than four (4) inspections per year per child care ministry.
 6 SECTION 5. IC 12-17.2-6-16 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2010]: **Sec. 16. (a) A caregiver must be at
 9 least:**
 10 (1) **seventeen (17) years of age and enrolled in high school; or**
 11 (2) **eighteen (18) years of age and possess a high school**
 12 **diploma or equivalent.**
 13 (b) **A child in the care of a child care ministry must at all times**
 14 **be under the direct supervision of a caregiver. If the child is less**
 15 **than twenty-five (25) months of age, the child must at all times be**
 16 **under the direct supervision of a caregiver who is at least**
 17 **twenty-one (21) years of age.**
 18 (c) **Except as provided in subsection (d), a child care ministry**
 19 **shall comply with the child to staff ratio that would apply to the**
 20 **child care ministry if the child care ministry were licensed under**
 21 **IC 12-17.2-4 or IC 12-17.2-5.**
 22 (d) **The staff portion of the child to staff ratio required by**
 23 **subsection (c) for the direct supervision of children may be reduced**
 24 **by fifty percent (50%):**
 25 (1) **during a period when more than fifty percent (50%) of the**
 26 **children are sleeping; and**
 27 (2) **if the normal child to staff ratio is maintained on the**
 28 **premises during the period described in subdivision (1).**
 29 **This subsection does not apply if any child in the care of the**
 30 **applicable staff is less than thirteen (13) months of age.**
 31 SECTION 6. [EFFECTIVE JULY 1, 2010] (a) **Notwithstanding**
 32 **IC 12-17.2-6, as amended by this act, IC 12-17.2-6, as amended by**
 33 **this act, applies to a child care ministry:**
 34 (1) **that is initially registered under IC 12-17.2-6 after June 30,**
 35 **2010; or**
 36 (2) **on the first date after June 30, 2010, on which the child**
 37 **care ministry's registration is renewed.**
 38 (b) **This SECTION expires July 1, 2013.**

