

HOUSE BILL No. 3016

By Committee on Taxation

3-8

AN ACT concerning child care facilities and family day care homes; relating to licensure and registration; amending K.S.A. 2001 Supp. 65-521 and 65-523 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2001 Supp. 65-521 is hereby amended to read as follows: 65-521. (a) The secretary may deny, revoke or refuse to renew a certificate of registration upon a determination by the secretary that the registrant falsified information on the application or willfully and substantially has violated K.S.A. 65-516 through 65-522, and amendments thereto. The secretary shall not revoke or refuse to renew any certificate without first giving notice and conducting a hearing in accordance with the provisions of the Kansas administrative procedure act.

(b) If the secretary revokes or refuses to renew a certificate of registration pursuant to subsection (a), the registrant who has had a certificate of registration revoked or not renewed shall not be eligible to apply for a certificate of registration or for a license to maintain a child care facility under K.S.A. 65-504 and amendments thereto for a period of one year subsequent to the date such revocation or refusal to renew becomes final.

(c) *The secretary shall deny, revoke or refuse to renew a certificate of registration to maintain a family day care home under K.S.A. 65-519, and amendments thereto, upon a determination by the secretary that the registrant knowingly had a person described in subsection (a)(1), (2), (3), (4), (5) or (6) of K.S.A. 65-516, and amendments thereto, residing, working or volunteering in the family day care home. The registrant shall not be eligible to apply for a certificate of registration or for a license to maintain a child care facility under K.S.A. 65-504, and amendments thereto.*

Sec. 2. K.S.A. 2001 Supp. 65-523 is hereby amended to read as follows: 65-523. (a) The secretary may suspend any license, certificate of registration or temporary permit issued under the provisions of K.S.A. 65-501 through 65-522, and amendments thereto, upon any of the following grounds and in the manner provided in this act:

~~(a)~~ (1) Violation by the licensee, registrant or holder of a temporary

1 permit of any provision of this act or of the rules and regulations prom-
2 ulgated under this act;

3 ~~(b)~~ (2) aiding, abetting or permitting the violating of any provision of
4 this act or of the rules and regulations promulgated under this act;

5 ~~(c)~~ (3) conduct in the operation or maintenance, or both the opera-
6 tion and maintenance, of a child care facility or family day care home
7 which is inimical to health, welfare or safety of either an individual in or
8 receiving services from the facility or home or the people of this state;

9 ~~(d)~~ (4) the conviction of a licensee, registrant or holder of a temporary
10 permit, at any time during licensure or registration or during the time
11 the temporary permit is in effect, of crimes as defined in K.S.A. 65-516
12 and amendments thereto; and

13 ~~(e)~~ (5) a third or subsequent violation by the licensee, registrant or
14 holder of a temporary permit of subsection (b) of K.S.A. 2001 Supp. 65-
15 530 and amendments thereto.

16 *(b) The secretary shall deny, revoke or refuse to renew a license to*
17 *maintain a child care facility under K.S.A. 65-504, and amendments*
18 *thereto, upon a determination by the secretary that the licensee knowingly*
19 *had a person described in subsection (a)(1), (2), (3), (4), (5), or (6) of*
20 *K.S.A. 65-516, and amendments thereto, residing, working or volunteer-*
21 *ing in the child care facility. The licensee shall not be eligible to apply for*
22 *a license or certificate of registration to maintain a family day care home*
23 *under K.S.A. 65-519, and amendments thereto.*

24 Sec. 3. K.S.A. 2001 Supp. 65-521 and 65-523 are hereby repealed.

25 Sec. 4. This act shall take effect and be in force from and after its
26 publication in the statute book.

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