

## RÉSUMÉ DIGEST

ACT 5 (HB 75)

2018 Regular Session

Dwight

Existing law provides for certain crimes and conditions of probation or parole which prohibit a sex offender from establishing a residence or being physically present within a specified distance of certain child care facilities, and from owning, operating, participating in the governance of, or working in, certain child care facilities. Such facilities include but are not limited to a day care center, group home, residential home, child care facility, family child day care home, or community home.

Prior law provided that the terms "day care center", "group home", "residential home", and "child care facility" are defined by R.S. 46:1403. Prior law also provided that the term "family child day care home" is defined by R.S. 46:1441.1. These citations referring to the definition of these terms are no longer accurate, and have been either amended, relocated, or repealed by prior Acts of the legislature.

New law amended prior law as follows to refer to the correct citations in existing law that define each term:

- (1) With regard to "day care center", which is no longer defined by R.S. 46:1403 but is instead referred to as a "child day care center" defined by R.S. 17:407.33, new law amends prior law to refer to such facilities as "early learning centers" which is defined by existing law (R.S. 17:407.33) to include any child day care center, Early Head Start Centers, Head Start Centers, and stand-alone prekindergarten programs not attached to a school. (See Acts 2013, No. 179 and Acts 2014, No. 868)
- (2) With regard to "group home" and "community home", new law removes these terms from prior law as they are no longer defined terms under R.S. 46:1403 or any other provision of existing law. (See Acts 2013, No. 179)
- (3) With regard to "residential home", which is currently defined by R.S. 46:1403, new law retains existing law.
- (4) With regard to "family child day care home", which is no longer a defined term under existing law, new law amends prior law to refer to such places as any residence in which child care services are provided by a family child care provider or in-home provider who is registered pursuant to existing law (R.S. 17:407.61 et seq.).
- (5) With regard to "child care facility", which is undefined under existing and prior law, new law removes this term from prior law.

Effective August 1, 2018.

(Amends R.S. 14:91.1(A), 91.2(A)(2) and (3) and (B), 91.3(A), and 91.4(A) and (B) and R.S. 15:538(D)(1)(b) and (c) and (6)(b) and (c))