

Regular Session, 2011

HOUSE BILL NO. 452

BY REPRESENTATIVE WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CHILD DAY CARE: Requires day care facilities to institute a minimum daily level of physical activity and maximum daily level of sedentary activity for children in their care

1 AN ACT

2 To enact R.S. 46:1430, relative to licensed child day care facilities; to provide for a
3 minimum standard for child physical activity; to provide for a limitation on child
4 sedentary activity; to provide for certain duties of the Louisiana Advisory Council
5 on Child Care and Early Education; to provide relative to definitions, standards, and
6 guidelines for physical activity programs; to authorize the promulgation of rules; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:1430 is hereby enacted to read as follows:

10 §1430. Child physical activity requirements; exceptions

11 A. Every day care center licensed pursuant to this Chapter as a Class A or
12 Class B facility shall require each child in its care who is not excepted pursuant to
13 the provisions of Subsection B of this Section to engage in no less than sixty minutes
14 of physical activity per day and no more than sixty minutes of sedentary activity per
15 day excluding time that the child is asleep.

16 B. Any child who is unable to engage in physical activity due to illness or
17 disability shall be exempt from the requirements of Subsection A of this Section.

18 Section 2. Prior to January 1, 2012, the Louisiana Advisory Council on Child Care
19 and Early Education shall:

1 (1) Establish standards for specific types of activities which qualify as physical and
2 as sedentary for the purposes of this Act.

3 (2) Establish guidelines and propose practices for day care facilities to effectively
4 implement physical activity programs for children. Such guidelines and practices shall
5 ensure the safety of children and promote improvements in children's health.

6 (3) Develop recommendations for ensuring compliance by day care facilities with
7 the provisions of this Act.

8 Section 3. Prior to March 1, 2012, the Department of Children and Family Services
9 shall promulgate, in accordance with the Administrative Procedure Act, all rules and
10 regulations necessary to implement the provisions of this Act. The department shall
11 incorporate in such rules the standards, guidelines, and recommendations developed by
12 Louisiana Advisory Council on Child Care and Early Education pursuant to Section 2 of this
13 Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Williams

HB No. 452

Abstract: Requires every child day care facility licensed by the state to institute a minimum daily level of physical activity and a maximum daily level of sedentary activity for children in their care.

Proposed law provides that every licensed child day care facility shall require each child in its care to:

- (1) Engage in no less than 60 minutes of physical activity per day.
- (2) Engage in no more than 60 minutes of sedentary activity per day excluding time that the child is asleep.

Proposed law provides an exception for children who are unable to engage in physical activity due to illness or disability.

Proposed law requires the La. Advisory Council on Child Care and Early Education to develop standards, guidelines and recommendations before Jan. 1, 2012, for implementing the provisions of proposed law.

Proposed law requires Dept. of Children and Family Services to promulgate rules and regulations per the APA before March 1, 2012, for implementing the provisions of proposed law.

Proposed law requires that such rules and regulations incorporate the material developed by the La. Advisory Council on Child Care and Early Education relating to implementing proposed law.

(Adds R.S. 46:1430)