



## 2013 ASSEMBLY BILL 698

January 31, 2014 - Introduced by Representatives STEINEKE, T. LARSON, KLEEFISCH, SPIROS and BERNIER. Referred to Committee on Children and Families.

1     **AN ACT to create** 48.67 (5) and 49.155 (1d) (c) of the statutes; **relating to:** a child  
2             care provider waking a sleeping child under two years of age and granting  
3             rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

Current law directs the Department of Children and Families (DCF) to promulgate rules establishing standards for the operation of licensed child care centers and standards for the certification of child care providers for purposes of reimbursement under the Wisconsin Shares program (certified child care providers). Under that directive, DCF has promulgated: 1) a rule requiring licensed child care centers to allow a child under one year of age (infant) or a child at least one year of age but less than two years of age (toddler) to form and follow his or her own pattern of sleeping and waking; and 2) a rule requiring a certified child care provider to allow a child to have undisturbed rest or a nap, when needed, in a place that is clean, safe, and comfortable. This bill requires DCF to promulgate rules permitting an exception to these rules upon the written request of the parent or guardian of the infant or toddler or to protect the health, safety, or welfare of any child.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 48.67 (5) of the statutes is created to read:

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1 48.67 **(5)** That all child care center licensees, and all employees and volunteers  
2 of a child care center, who provide care and supervision for children under 2 years  
3 of age allow a child under 2 years of age to form and follow his or her own pattern of  
4 sleeping and waking, except upon the written request of the child's parent or  
5 guardian or to protect the health, safety, or welfare of any child.

6 **SECTION 2.** 49.155 (1d) (c) of the statutes is created to read:

7 49.155 **(1d)** (c) The department shall promulgate rules requiring a child care  
8 provider to allow a child under 2 years of age to have undisturbed rest or a nap, when  
9 needed, except upon the written request of the child's parent or guardian or to protect  
10 the health, safety, or welfare of any child.

11 **(END)**