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**SENATE BILL NO. 898**

Offered January 14, 2015

Prefiled January 7, 2015

A *BILL to amend the Code of Virginia by adding a section numbered 63.2-1704.1, relating to unlicensed and unregistered family day homes; notice to Department of Social Services; background checks; safety requirements.*

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Patrons—Favola and Ebbin

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Referred to Committee on Rehabilitation and Social Services

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 63.2-1704.1 as follows:****§ 63.2-1704.1. Unlicensed and unregistered family day homes; notice to Department; background checks; safety requirements.**

A. Every unlicensed and unregistered family day home shall, prior to beginning such operation and annually thereafter, submit the following to the Commissioner: (i) a statement of intent to operate an unlicensed and unregistered family day home serving fewer than six children, exclusive of the provider's own children and any children who reside in the home; (ii) the name, address, and telephone number of the person maintaining the family day home; and (iii) a statement that the person who maintains the family day home has complied with all background check requirements listed in subsection B.

B. No unlicensed and unregistered family day home shall hire or employ any person who has an offense as defined in § 63.2-1719 if such person will be involved in the day-to-day operations of the family day home or will be alone with, in control of, or supervising one or more children. Prior to operating an unlicensed and unregistered family day home, (i) agents who will be involved in the day-to-day operations of the family day home or will be alone with, in control of, or supervising one or more children, and (ii) any other adult living in the family day home shall undergo a background check pursuant to § 63.2-1721. Prior to hiring any employee who will be involved in the day-to-day operations of the unlicensed or unregistered family day home or who will be alone with, in control of, or supervising one or more children, such employee shall undergo a background check pursuant to § 63.2-1720.

C. A person trained and certified in first aid and cardiopulmonary resuscitation shall be present at an unlicensed and unregistered family day home whenever one or more children are present.

D. Every unlicensed and unregistered family day home shall be free from fire hazards and have adequate fire protection. Such family day homes are subject to inspection and approval by the appropriate fire official.

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