

1.1 moves to amend H.F. No. 3737 as follows:

1.2 Page 1, after line 16, insert:

1.3 "Sec. Minnesota Statutes 2019 Supplement, section 245A.14, subdivision 4, is amended
1.4 to read:

1.5 Subd. 4. **Special family day care homes.** Nonresidential child care programs serving
1.6 14 or fewer children that are conducted at a location other than the license holder's own
1.7 residence shall be licensed under this section and the rules governing family day care or
1.8 group family day care if:

1.9 (a) the license holder is the primary provider of care and the nonresidential child care
1.10 program is conducted in a dwelling that is located on a residential lot;

1.11 (b) the license holder is an employer who may or may not be the primary provider of
1.12 care, and the purpose for the child care program is to provide child care services to children
1.13 of the license holder's employees;

1.14 (c) the license holder is a church or religious organization;

1.15 (d) the license holder is a community collaborative child care provider. For purposes of
1.16 this subdivision, a community collaborative child care provider is a provider participating
1.17 in a cooperative agreement with a community action agency as defined in section 256E.31;

1.18 (e) the license holder is a not-for-profit agency that provides child care in a dwelling
1.19 located on a residential lot and the license holder maintains two or more contracts with
1.20 community employers or other community organizations to provide child care services.
1.21 The county licensing agency may grant a capacity variance to a license holder licensed
1.22 under this paragraph to exceed the licensed capacity of 14 children by no more than five
1.23 children during transition periods related to the work schedules of parents, if the license
1.24 holder meets the following requirements:

2.1 (1) the program does not exceed a capacity of 14 children more than a cumulative total
2.2 of four hours per day;

2.3 (2) the program meets a one to seven staff-to-child ratio during the variance period;

2.4 (3) all employees receive at least an extra four hours of training per year than required
2.5 in the rules governing family child care each year;

2.6 (4) the facility has square footage required per child under Minnesota Rules, part
2.7 9502.0425;

2.8 (5) the program is in compliance with local zoning regulations;

2.9 (6) the program is in compliance with the applicable fire code as follows:

2.10 (i) if the program serves more than five children older than 2-1/2 years of age, but no
2.11 more than five children 2-1/2 years of age or less, the applicable fire code is educational
2.12 occupancy, as provided in Group E Occupancy under the Minnesota State Fire Code 2015,
2.13 Section 202; or

2.14 (ii) if the program serves more than five children 2-1/2 years of age or less, the applicable
2.15 fire code is Group I-4 ~~Occupancies~~ Occupancy, as provided in the Minnesota State Fire
2.16 Code 2015, Section 202, unless the rooms in which the children 2-1/2 years of age or less
2.17 are cared for are located on a level of exit discharge and each of these child care rooms has
2.18 an exit door directly to the exterior, then the applicable fire code is Group E ~~occupancies~~
2.19 Occupancy, as provided in the Minnesota State Fire Code 2015, Section 202; and

2.20 (7) any age and capacity limitations required by the fire code inspection and square
2.21 footage determinations shall be printed on the license; or

2.22 (f) the license holder is the primary provider of care and has located the licensed child
2.23 care program in a commercial space, if the license holder meets the following requirements:

2.24 (1) the program is in compliance with local zoning regulations;

2.25 (2) the program is in compliance with the applicable fire code as follows:

2.26 (i) if the program serves more than five children older than 2-1/2 years of age, but no
2.27 more than five children 2-1/2 years of age or less, the applicable fire code is educational
2.28 occupancy, as provided in Group E Occupancy under the Minnesota State Fire Code 2015,
2.29 Section 202; or

2.30 (ii) if the program serves more than five children 2-1/2 years of age or less, the applicable
2.31 fire code is Group I-4 ~~Occupancies~~ Occupancy, as provided under the Minnesota State Fire
2.32 Code 2015, Section 202, unless the rooms in which the children 2-1/2 years of age or less

3.1 are cared for are located on a level of exit discharge and each of these child care rooms has
 3.2 an exit door directly to the exterior, then the applicable fire code is Group E Occupancy, as
 3.3 provided in the Minnesota State Fire Code 2015, Section 202;

3.4 (3) any age and capacity limitations required by the fire code inspection and square
 3.5 footage determinations are printed on the license; and

3.6 (4) the license holder prominently displays the license issued by the commissioner which
 3.7 contains the statement "This special family child care provider is not licensed as a child
 3.8 care center."

3.9 (g) The commissioner may approve two or more licenses under paragraphs (a) to (f) to
 3.10 be issued at the same location or under one contiguous roof, if each license holder is able
 3.11 to demonstrate compliance with all applicable rules and laws. Each license holder must
 3.12 operate the license holder's respective licensed program as a distinct program and within
 3.13 the capacity, age, and ratio distributions of each license.

3.14 (h) The commissioner may grant variances to this section to allow a primary provider
 3.15 of care, a not-for-profit organization, a church or religious organization, an employer, or a
 3.16 community collaborative to be licensed to provide child care under paragraphs (e) and (f)
 3.17 if the license holder meets the other requirements of the statute."

3.18 Page 5, line 6, delete the first "a" and insert "each"

3.19 Page 6, line 32, after "of" insert "Licensed"

3.20 Page 7, line 12, before "When" insert "(c)"

3.21 Page 7, line 19, after "of" insert "Licensed"

3.22 Page 12, line 3, after "and" insert "each"

3.23 Page 12, line 7, after "by" insert "completing" and after "course" insert ", that is not
 3.24 otherwise required by this section,"

3.25 Page 12, line 11, after "and" insert "each"

3.26 Page 12, line 19, after "and" insert "each"

3.27 Page 15, after line 10, insert:

3.28 "Sec. Minnesota Statutes 2019 Supplement, section 245A.52, subdivision 1, is amended
 3.29 to read:

3.30 Subdivision 1. **Means of escape.** (a)(1) At least one emergency escape route separate
 3.31 from the main exit from the space must be available in each room used for sleeping by

4.1 anyone receiving licensed care, and (2) a basement used for child care. One means of escape
4.2 must be a stairway or door leading to the floor of exit discharge. The other must be a door
4.3 or window leading directly outside. A window used as an emergency escape route must be
4.4 openable without special knowledge.

4.5 (b) In homes with construction that began before May 2, 2016, the interior of the window
4.6 leading directly outside must have a net clear opening area of not less than 4.5 square feet
4.7 or 648 square inches and have minimum clear opening dimensions of 20 inches wide and
4.8 20 inches high. The opening must be no higher than 48 inches from the floor. The height
4.9 to the window may be measured from a platform if a platform is located below the window.

4.10 (c) In homes with construction that began on or after May 2, 2016, the interior of the
4.11 window leading directly outside must have minimum clear opening dimensions of 20 inches
4.12 wide and 24 inches high. The net clear opening dimensions shall be the result of normal
4.13 operation of the opening. The opening must be no higher than 44 inches from the floor.

4.14 (d) Additional requirements are dependent on the distance of the openings from the
4.15 ground outside the window: (1) windows or other openings with a sill height not more than
4.16 44 inches above or below the finished ground level adjacent to the opening (grade-floor
4.17 emergency escape and rescue openings) must have a minimum opening of five square feet;
4.18 and (2) non-grade-floor emergency escape and rescue openings must have a minimum
4.19 opening of 5.7 square feet.

4.20 Sec. Minnesota Statutes 2019 Supplement, section 245A.52, subdivision 2, is amended
4.21 to read:

4.22 Subd. 2. **Door to attached garage.** ~~Notwithstanding Minnesota Rules, part 9502.0425,~~
4.23 ~~subpart 5,~~ Day care residences with an attached garage are ~~not~~ required to have a ~~self-closing~~
4.24 door to the residence. ~~The door to the residence may be a steel insulated door if the door is~~
4.25 ~~at least 1-3/8 inches thick.~~ that is:

4.26 (1) a solid wood bonded core door at least 1-3/8 inches thick;

4.27 (2) a steel insulated door at least 1-3/8 inches thick; or

4.28 (3) a door with a fire protection rating of 20 minutes.

4.29 The separation wall on the garage side between the residence and garage must consist of
4.30 1/2 inch thick gypsum wallboard or its equivalent."

4.31 Page 16, delete lines 26 to 28 and insert:

- 5.1 "Sec. **REPEALER.**
- 5.2 Minnesota Rules, part 9502.0425, subpart 5, is repealed."
- 5.3 Renumber the sections in sequence and correct the internal references
- 5.4 Amend the title accordingly