

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2438** Session of  
1980

INTRODUCED BY MADIGAN, ZORD, BURD, GRUPPO AND PETERSON,  
APRIL 1, 1980

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, APRIL 1, 1980

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," excluding certain family  
4 residences from the terms children's institutions and child  
5 day care center.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The definition of "children's institutions" in  
9 section 901 and the definition of "child day care center" in  
10 section 1001, act of June 13, 1967 (P.L.31, No.21), known as the  
11 "Public Welfare Code," are amended to read:

12 Section 901. Definitions.--As used in this article--

13 "Children's institutions" means any incorporated or  
14 unincorporated organization, society, corporation or agency,  
15 public or private, which may receive or care for children, or  
16 place them in foster family homes, either at board, wages or  
17 free; or any individual who, for hire, gain or reward, receives  
18 for care a child, unless he is related to such child by blood or  
19 marriage within the second degree; or any individual, not in the

1 regular employ of the court or of an organization, society,  
2 association or agency, duly certified by the department, who in  
3 any manner becomes a party to the placing of children in foster  
4 homes, unless he is related to such children by blood or  
5 marriage within the second degree, or is the duly appointed  
6 guardian thereof. The term shall not include a family residence  
7 wherein eight or less children are babysat.

8 \* \* \*

9 Section 1001. Definitions.--As used in this article--

10 \* \* \*

11 "Child day care center" means any premises operated for  
12 profit in which child day care is provided simultaneously for  
13 seven or more children who are not relatives of the operator,  
14 except such centers operated under social service auspices or in  
15 a family residence wherein eight or less children are babysat.

16 \* \* \*

17 Section 2. This act shall take effect immediately.