

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," in general powers and
4 duties of the Department of Public Welfare, providing for
5 limitation on child-care facility regulation.

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

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Public Welfare Code, is amended by adding a section to
10 read:

11 Section 216. Limitation on Child Care Facility Regulation.--

12 (a) Notwithstanding any other provision of this act or any
13 other act to the contrary, the department shall not have the
14 authority to adopt regulations for child care facilities that
15 require supervision of children when swimming to include a staff
16 person who is certified as a lifeguard.

17 (b) The following provisions are abrogated:

18 (1) 55 Pa. Code § 3270.115(a)(6) and (7) (relating to water
19 activity).

1 (2) 55 Pa. Code § 3280.115(a)(6) and (7) (relating to water
2 activity).

3 (3) 55 Pa. Code § 3290.115(a)(6) and (7) (relating to water
4 activity).

5 (c) As used in this section, the following words and phrases
6 shall have the following meanings:

7 "Child care facility" includes a child day care center, group
8 child day care home and family day care home.

9 "Child day care center" means a child day care center as
10 defined in 55 Pa. Code § 3270.4 (relating to definitions).

11 "Family day care home" means a family day care home as
12 defined in 55 Pa. Code § 3290.4 (relating to definitions).

13 "Group child day care home" means a group child day care home
14 as defined in 55 Pa. Code § 3280.4 (relating to definitions).

15 Section 2. This act shall take effect in 60 days.