

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	8 - 1 - 0
<b>Yeas:</b>	Boone, Cowan, Dembrow, Huffman, Maurer, Olson, VanOrman, Tomei
<b>Nays:</b>	Freeman
<b>Exc.:</b>	0
<b>Prepared By:</b>	Keely West, Administrator
<b>Meeting Dates:</b>	2/13, 4/24

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**WHAT THE MEASURE DOES:** Gives the Child Care Division of the Oregon Employment Department authority to impose a civil penalty of up to \$500 on facilities licensed as certified child care that violate statutes governing certified childcare facilities. Allocates penalty monies to the Child Care Fund. Establishes minimum requirements for assessing penalties; establishes quarterly maximum for penalty amounts.

**ISSUES DISCUSSED:**

- Objectivity of rule violation
- Internal grievance procedure
- Causes of infractions
- Irregularity of enforcement
- Determination of fine amounts – comparisons to other states
- Need for an interim step
- Preference of legislators for sliding scale

**EFFECT OF COMMITTEE AMENDMENT:** Establishes minimum requirements for assessing penalties; establishes quarterly maximum for penalty amounts.

**BACKGROUND:** ORS 657A distinguishes two kinds of childcare licenses: registration and certification. Current law gives the Childcare Division authority to assess fines for licensing violations in registered homes. There is no statutory provision to assess fines in certified facilities. This has resulted in a situation where more lightly regulated programs are subject to stricter penalties. It also means that the division has no means to compel compliance in certified facilities unless it takes legal action against the license. HB 2205 applies a standardized penalty structure to both kinds of childcare licenses.