

HB 3447 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Family Supports

Prepared By: Zena Rockowitz, LPRO Analyst

Meeting Dates: 4/18

WHAT THE MEASURE DOES:

Prohibits an instrument that restricts the use of the real property as a certified or registered family child care home or as the premises of an exempt family child care provider participating in the subsidy program. Prohibits a condominium governing document or guidelines from prohibiting or restricting a unit owner from using the condominium as a certified or registered family child care home or as the premises of an exempt family child care provider participating in the subsidy program. Applies to fee title, real property, and provisions of governing documents executed or adopted after the effective date of the act.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Amendment. Specifies there is no prohibition from adopting or enforcing governing documents or guidelines that regulates parking, noise odors or use of common property, provided certain provisions are met.

FISCAL: No fiscal impact

REVENUE: No revenue impact

-2 Amendment. Specifies prohibitions against restricting the use of common and shared spaces. Specifies there is no prohibition from adopting or enforcing governing documents or guidelines that regulates parking, noise odors or use of common elements or activities that impact the cost of insurance policies, provided certain provisions are met. Exempts housing for older persons.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

BACKGROUND:

Presently, homeowner's associations may have by-laws and other governing documents that ban certified, registered or license exempt child care in their units. The Office of Child Care (OCC) is part of the Early Learning Division in the Department of Education, responsible for licensing and certifying child care in Oregon and ensuring training, inspections and background checks. The Early Learning Division reports on types of child care (as of January, 2017):

- License exempt recorded child care centers are preschool and school-age programs that operate fewer than four hours per day in places like municipalities and churches. There are 52,611 children served at 463 facilities. There are 7,227 children served by license exempt providers that accept subsidies under the federal Child Care Development Block Grant Act of 2014. These subsidies are intended to offset the cost of child care to parents and are paid to child care providers by the Oregon Department of Human Services.
- Registered family child care programs provide home-based child care for up to 10 children. There are 23,200 children served at 2,320 facilities.
- Certified family child care programs provide home-based child care for up to 16 children. There are 10,067 children served at 714 facilities.
- Certified child care centers are center-based programs with more than 13 children. There are 60,000 children served at 1,208 facilities.

Oregon State University finds that Oregon currently has 17 slots in home-based programs and centers per 100 children (under the age of 13). Oregon has public preschools, which include Oregon Head Start Prekindergarten, Early Head Start and Preschool Promise. These programs serve 62 percent, 8 percent, and 37 percent of eligible children respectively.