

SB 1051 STAFF MEASURE SUMMARY
Senate Committee On Business and Transportation

Carrier: Sen. Boquist

Action Date: 04/10/17
Action: Do pass.
Vote: 4-0-1-0
Yeas: 4 - Beyer, Girod, Monroe, Riley
Exc: 1 - Thomsen
Fiscal: No fiscal impact
Revenue: No revenue impact
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WHAT THE MEASURE DOES:

Prohibits a provision in an instrument conveying real property that restricts the use of the property as a certified or registered family child care home. Prohibits enforcement of condominium or homeowners association restrictions of use of a unit as a certified or registered family child care home. Applies to instruments conveying fee title to real property that are executed, and provisions of governing documents and guidelines that are adopted, on or after the measure's effective date.

ISSUES DISCUSSED:

- Proposed amendments to be considered in House of Representatives
- Importance of access to child care
- Allow homeowner associations to continue to deal with parking and noise issues

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Certified family child care homes in Oregon are regulated and overseen by the Office of Child Care (OCC), which resides within the Early Learning Division of the Oregon Department of Education. A certified family child care home is typically situated in the home of the child care provider, with licensure limited to one provider per household, though the provider may hire additional staff. Homes are inspected by both an environmental health specialist and a licensing specialist from OCC prior to licensure. The provider, all other residents of the home, and caregivers, staff and volunteers who are 18 years of age or older must be enrolled in OCC's central background registry. Each certified home may have a maximum of 12 children present at any one time, including the provider's own children.

Senate Bill 1051 prohibits restrictions on operation of a certified family child care home as part of an instrument conveying, or contracting to convey, title to real property. The measure similarly prohibits enforcement provisions for such restrictions within condominiums or homeowner associations.