

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2014 Legislative Session

Reference No.:	CB-083-2014
Draft No.:	1
Committee:	HEALTH, EDUCATION AND HUMAN SERVICES
Date:	10/09/2014
Action:	FAV

REPORT:

Committee Vote: Favorable, 4-0 (In favor: Council Members Patterson, Harrison, Lehman and Turner)

CB-83-2014 repeals provisions of the County Code that pertains to business licensing for Child Care Facilities. Under §5-585 of the Family Law Article of the Maryland Annotated Code, the State of Maryland preempts the rights of local jurisdictions to regulate child care centers. The functions are authorized to be provided by the Office of Child Care in the Maryland State Department of Education.

The County Health Department representative indicated that it has been 15 years since they regulated Child Care Facilities. The County Health Officer, under COMAR regulation §10.06.01.06.F(1), does inspect Child Care Facilities with communicable disease concerns. It was further stated that they may receive approximately six (6) complaints annually. The Committee questioned the effectiveness of the reporting procedures based on the number of complaints.

The Committee raised concerns as to why the State preempted local legislation and requested information on the number of licensed Child Care Facilities in the county.

The Office of Audits and Investigations determined that enactment of CB-83-2014 will not have a negative fiscal impact on the County since the Health Department has not collected fees for the licensing of Child Care Facilities for the past several years.

The Office of Law finds it to be in proper legislative form.