

Senate Bill 451

By: Senators Sims of the 12th, Unterman of the 45th, Hooks of the 14th, Crosby of the 13th,
Jackson of the 2nd and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 20-1A-13 of the Official Code of Georgia Annotated, relating to the
2 emergency placement of monitors in early care and education programs, so as to enact the
3 "Jace Hester Act"; to provide for certain procedures subsequent to the death of a minor
4 occurring in a family day-care home or group day-care home; to provide for contesting a
5 closure; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Jace Hester Act."

9 **SECTION 2.**

10 Code Section 20-1A-13 of the Official Code of Georgia Annotated, relating to the emergency
11 placement of monitors in early care and education programs, is amended by designating
12 subsection (l) as subsection (m) and by adding a new subsection to read as follows:

13 "(1)(1) Upon the death of a minor at any family day-care home or group day-care home
14 licensed pursuant to this chapter, the home shall be closed immediately. Upon such
15 closure, the commissioner or his or her designee shall immediately conduct a review into
16 the cause of the minor's death. If the commissioner determines that the administration
17 or conditions of the home were the cause of such minor's death, the commissioner shall
18 immediately revoke such home's license. If the commissioner determines that the
19 administration or conditions of the home were clearly not the cause of the minor's death,
20 the commissioner shall immediately reopen the home for its continued operation.

21 (2) A family day-care home or group day-care home that is closed pursuant to this
22 subsection shall have the right to contest the decision to close such home in a manner
23 consistent with Article 1 of Chapter 13 of Title 50, the 'Georgia Administrative Procedure
24 Act' and shall be authorized to request an expedited hearing in accordance with the rules
25 and regulations of the Office of State Administrative Hearings."

26

SECTION 3.

27 All laws and parts of laws in conflict with this Act are repealed.