

House Bill 1281

By: Representatives Momtahan of the 17th, Hagan of the 156th, Mathis of the 133rd, Gullett of the 19th, Chastain of the 7th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 1A of Title 20 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the Department of Early Care and Learning, so as
3 to require child care learning centers to carry certain amounts of liability insurance coverage
4 and to provide proof of such coverage; to provide for penalties; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to the Department of Early Care and Learning, is amended in
10 Code Section 20-1A-4, relating to powers and duties of the Department of Early Care and
11 Learning, by revising paragraph (9) as follows:

12 "(9) To recommend in writing to the owner of any early care and education program
13 licensed by the department that such program carry liability insurance coverage sufficient
14 to protect its clients. Any such program which after receiving such recommendation is
15 not covered by liability insurance shall post that fact in a conspicuous place in the
16 program and shall notify the parent or guardian of each child under the care of the

17 program in writing. Such notice shall be in at least 1/2 inch letters. Each such parent or
18 guardian must acknowledge receipt of such notice in writing, and a copy of such
19 acknowledgment shall be maintained on file at the program at all times while the child
20 attends the program and for 12 months after the child's last date of attendance. Failure
21 to ~~do so may~~ post the required notice, provide the required written notification to parents
22 or guardians, or maintain required copies shall subject the owner of the program to a civil
23 fine ~~of~~ not to exceed \$1,000.00 for each such infraction;"

24 **SECTION 2.**

25 Said article is further amended in Code Section 20-1A-10, relating to regulation of early care
26 and education programs, by adding a new subsection to read as follows:

27 "(w) Each child care learning center shall carry liability insurance coverage purchased
28 from an insurer authorized to do business in this state in the amount of not less
29 than \$50,000.00 per person and \$1 million per occurrence. The owner of a child care
30 learning center that fails to carry such coverage shall be subject to a civil fine of \$1,000.00
31 for each day that such child care learning center operates without such coverage. Each
32 child care learning center shall provide proof of such coverage, including the name of the
33 insurer and policy number, to the department and to each client of such child care learning
34 center and have such proof of coverage available at the location of such child care learning
35 center."

36 **SECTION 3.**

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