

Introduced by Senator Mendoza

February 27, 2015

An act to add Sections 1596.800 and 1597.622 to the Health and Safety Code, relating to day care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 792, as introduced, Mendoza. Day care facilities: immunizations.

Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of day care centers, as defined, and family day care homes, as defined, by the State Department of Social Services. A violation of the act is a crime. Existing law requires a child to be immunized prior to admission to a day care center or family day care home. Existing law authorizes an exemption from those provisions for medical reasons or because of personal beliefs, if specified forms are submitted to the day care center or family day care home.

This bill would prohibit a day care center or a family day care home from employing any person who has not been immunized against influenza, pertussis, and measles. Because the bill would extend the application of a crime under the act, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1596.800 is added to the Health and
2 Safety Code, immediately following Section 1596.799, to read:

3 1596.800. A person shall not be employed at a day care center,
4 if that person has not been immunized against influenza, pertussis,
5 and measles.

6 SEC. 2. Section 1597.622 is added to the Health and Safety
7 Code, immediately following Section 1597.621,, to read:

8 1597.622. A person shall not be employed at a family day care
9 home, if that person has not been immunized against influenza,
10 pertussis, and measles.

11 SEC. 3. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.