

**2019 DRAFTING REQUEST**

**Bill**

For: **Amanda Stuck (608) 266-3070** Drafter: **eshea**

By: **Eric** Secondary Drafters:

Date: **11/12/2019** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email: **Rep.Stuck@legis.wisconsin.gov**  
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**  
**Elizabeth.wheeler@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Child care licensing rules exception for participant in coworking space

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/21/2019	swinder 11/22/2019			
/P1	eshea 1/31/2020	swinder 2/3/2020	dwalker 11/22/2019		
/P2			lparisi 2/3/2020		
/1			jmurphy 2/18/2020	jmurphy 2/18/2020	

FE Sent For:

<END>

↳ Not  
Needed

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11/11/19 Eric - Rep. Stuck

- exception to license requirement for child care provided to person in co-working space

- amend rules directly

DF 250.02(1)(f) - "employee" - doesn't cover this exactly  
251.02(1)(g) ✓

services

a facility [shared] as a work space [by] for

co-working space: an arrangement in which employees or independent contractors of different entities <sup>under an arrangement</sup> share ~~work~~ <sup>which</sup> office space and common infrastructure.

the participants share

Add to 250.02(1)(f) + 251.02(1)(g)  
or def 250.02(1)(g) 251.03(8g)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-4884 DP1  
EHS:...  
Skw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In 4/21  
Due 4/22

generate catalog

- 1 **AN ACT ...; relating to:** an exception to child care center licensing requirements
- 2 for care and supervision provided while a parent participates in a coworking
- 3 space on the premises.

***Analysis by the Legislative Reference Bureau***

Under current law, no person may for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day unless that person obtains a license to operate a child care center from the Department of Children and Families. To be licensed, current law requires a person to meet the minimum requirements established by DCF. However, rules promulgated by DCF specify that these requirements do not apply to care and supervision provided for no more than 3 hours a day while a child's parent is employed on the premise. This bill expands this exception to cover if the child's parent is participating in a coworking space on the premises. Under the bill, a coworking space is an arrangement under which participants share office space and common infrastructure within a facility but not a common employer.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 4 **SECTION 1.** DCF 250.02 (1) (f) of the administrative code is amended to read:

1 DCF 250.02 (1) (f) Care and supervision while the parent is either employed  
2 on the premises or participating in a coworking space on the premises if the parent's  
3 child receives care and supervision for no more than 3 hours a day.

4 **SECTION 2.** DCF 250.03 (4g) of the administrative code is created to read:

5 DCF 250.03 (4g) "Coworking space" means an arrangement under which  
6 participants share office space and common infrastructure within a facility but not  
7 a common employer.

8 **SECTION 3.** DCF 251.02 (1) (g) of the administrative code is amended to read:

9 DCF 251.02 (1) (g) Care and supervision while the child's parent is either  
10 employed on the premises or participating in a coworking space on the premises if  
11 the child receives care and supervision for no more than 3 hours a day.

12 **SECTION 4.** DCF 251.03 (8g) of the administrative code is created to read:

13 DCF 251.03 (8g) "Coworking space" means an arrangement under which  
14 participants share office space and common infrastructure within a facility but not  
15 a common employer.

16 (END)

## Shea, Elisabeth

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**From:** Koch, Eric  
**Sent:** Tuesday, January 28, 2020 8:52 AM  
**To:** Shea, Elisabeth  
**Subject:** RE: LRB-4884/P1

Hi Lis,

Thanks for getting back to me and my apologies for the delay in following up, the end of last week and this week so far has been hectic, as I have been booted out of my office by the Secret Service for today's event...

Let's go with #2 and have it read:

"for no more than 3 hours a day, except that one day per week the child may receive care and supervision for no more than 5 hours as long as the total number of hours of care and supervision received in a week does not exceed 15."

And lets do it as a /p2.

Thank you!

- Eric

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**From:** Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>  
**Sent:** Thursday, January 23, 2020 9:39 AM  
**To:** Koch, Eric <Eric.Koch@legis.wisconsin.gov>  
**Subject:** LRB-4884/P1

Hi Eric,

Sorry for the delay in getting back to you. I was out sick yesterday and I am out today with a sick kid but working from home.

If I understand correctly, you are interested in allowing someone to go over 3 hours a day but not all the time. There are a couple ways we could do this:

1. Change it from "for no more than 3 hours a day" to "for no more than 15 hours a week." This would allow flexibility within a broader weekly limit, but it would allow, for example, a child to be there for one 8 hour day and one 7 hour day.
2. Be very specific: "for no more than 3 hours a day, except that one day per week the child may receive care and supervision for no more than 4 hours as long as the total number of hours of care and supervision received in a week does not exceed 15."

Does one of those sound better to you, or some variation?

Lis

**Elisabeth H. Shea**  
Senior Legislative Attorney

Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 504-5885  
[elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)

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State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-4884/P1  
EHS:skw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

In 1/31

Due 2/3

Insert

Reyn

- 1 AN ACT relating to: an exception to child care center licensing requirements for
- 2 care and supervision provided while a parent participates in a coworking space
- 3 on the premises.

***Analysis by the Legislative Reference Bureau***

Under current law, no person may for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day unless that person obtains a license to operate a child care center from the Department of Children and Families. To be licensed, current law requires a person to meet the minimum requirements established by DCF. However, rules promulgated by DCF specify that these requirements do not apply to care and supervision provided for no more than three hours a day while a child's parent is employed on the premise. This bill expands this exception to cover if the child's parent is participating in a coworking space on the premises. Under the bill, a coworking space is an arrangement under which participants share office space and common infrastructure within a facility but not a common employer.

INS. A

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14 participants share office space and common infrastructure within a facility but not  
15 a common employer.

16 (END)

**2019-2020 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4884/P2ins  
EHS:skw

1           **INSERT A**

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The bill also provides that, under the exception, one day per week a child may receive care and supervision for no more than 5 hours as long as the total number of hours of care and supervision received in one week does not exceed 15.

2           **INSERT 2-3**

3           , except that one day per week the child may receive care and supervision for  
4           no more than 5 hours as long as the total number of hours of care and supervision  
5           received in one week does not exceed 15

6           **INSERT 2-11**

7           , except that one day per week the child may receive care and supervision for  
8           no more than 5 hours as long as the total number of hours of care and supervision  
9           received in one week does not exceed 15



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-4884/P2

EHS:skw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT relating to:** an exception to child care center licensing requirements for  
2             care and supervision provided while a parent participates in a coworking space  
3             on the premises.

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***Analysis by the Legislative Reference Bureau***

Under current law, no person may for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day unless that person obtains a license to operate a child care center from the Department of Children and Families. To be licensed, current law requires a person to meet the minimum requirements established by DCF. However, rules promulgated by DCF specify that these requirements do not apply to care and supervision provided for no more than three hours a day while a child's parent is employed on the premise. This bill expands this exception to cover if the child's parent is participating in a coworking space on the premises. Under the bill, a coworking space is an arrangement under which participants share office space and common infrastructure within a facility but not a common employer. The bill also provides that, under the exception, one day per week a child may receive care and supervision for no more than 5 hours as long as the total number of hours of care and supervision received in one week does not exceed 15.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***



## **Wheeler, Elizabeth**

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**From:** Walker, Dan  
**Sent:** Tuesday, February 18, 2020 3:01 PM  
**To:** Wheeler, Elizabeth  
**Subject:** FW: Draft review: LRB -4884/P2

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This is an EHS draft but it looks like you were working with her on it, would you mind doing the conversion to /1 so we can jacket it?

Thanks,

Dan

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**From:** Koch, Eric <Eric.Koch@legis.wisconsin.gov>  
**Sent:** Tuesday, February 18, 2020 2:59 PM  
**To:** LRB.Legal <lrblegal@legis.wisconsin.gov>  
**Subject:** RE: Draft review: LRB -4884/P2

Please draft as a /1 and jacket for introduction. Thank you!

**Eric Koch**  
Office of Rep. Amanda Stuck  
57<sup>th</sup> Assembly District  
608-266-3070

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**From:** LRB.Legal <lrblegal@legis.wisconsin.gov>  
**Sent:** Monday, February 03, 2020 9:54 AM  
**To:** Rep.Stuck <Rep.Stuck@legis.wisconsin.gov>  
**Subject:** Draft review: LRB -4884/P2

**Following is the PDF version of draft LRB -4884/P2.**