

No. 222, S.]

[Published July 16, 1949.

**CHAPTER 471.**

AN ACT to create 46.03 (7) (c) and 48.50 of the statutes, relating to the licensing of child care centers, day nurseries and nursery schools, providing standards and imposing a penalty.

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

SECTION 1. 46.03 (7) (c) of the statutes is created to read:

46.03 (7) (c) Administer the laws relating to child care centers, day nurseries and nursery schools.

SECTION 2. 48.50 of the statutes is created to read:

48.50 CHILD CARE CENTERS, DAY NURSERIES, NURSERY SCHOOLS. (1) PERMITS REQUIRED. No person shall for compensation provide care and supervision for 4 or more children under the age of 7 years for periods of more than 2 hours but less than 24 hours per day unless he shall have been issued a permit therefor by the state department of public welfare. Each permit shall bear the name of the person, firm or corporation to whom it is issued, describe the premises included, and state the maximum number of children that may be cared for thereon at any one time and the period during which it shall be valid. The permit is not transferable.

(2) APPLICATION. Application for such permit shall be made in such form as the department shall prescribe and upon forms furnished by the department.

(3) STANDARDS. The department, after public hearing, shall prescribe rules and regulations for the issuance of permits, and shall establish standards for the operation of child care centers, day nurseries and nursery schools. The department shall consult with the industrial commission, the department of public instruction and the state board of health in promulgating such rules, regulations and standards which shall provide for the safety, health and welfare of the children.

(4) PERMIT PERIOD, REVOCATION. (a) A permit shall not be issued for a period longer than one year, and shall expire upon the date designated by the department at the time of issuance.

(b) The department may revoke any permit issued under this section when the department shall find that any permit holder has violated any provision of this section or any rule, regulation or standard established thereunder.

(c) Before revoking such permit, the department shall give the permit holder written notice of the grounds for such proposed revocation and of public hearing at least 20 days prior to such hearing. The permit holder may present testimony and confront witnesses at the hearing.

(5) ACCESS. The department's authorized agents shall visit and inspect each child care center, day nursery or nursery school as often as deemed necessary, and for such purpose shall be given unrestricted access to the premises described in the application or permit.

(6) EXEMPTIONS. Nothing contained herein shall apply to care given to children by or in homes maintained by their parents, grandparents, brothers, sisters, uncles, aunts or legal guardians of the person, nor shall anything contained herein apply to public or parochial schools, or to recreational camps meeting standards established by the state board of health.

(7) PENALTY. Any person, firm or corporation violating any provision of this section or any rule, regulation or standard established hereunder shall be fined not less than \$10 nor more than \$100 for each offense.

SECTION 3. This act shall take effect September 1, 1949.

Approved July 12, 1949.

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