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## Early Learning & Human Services Committee

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### HB 1582

**Brief Description:** Concerning child care centers operated in existing buildings.

**Sponsors:** Representatives Caldier, Richards, Eslick and Nance.

#### Brief Summary of Bill

- Requires, when a child care center is located in an existing building that has more than one use, that building officials and the Washington State Patrol Director of Fire Protection calculate the occupancy load based only on the areas of the building used for child care.

**Hearing Date:** 2/4/25

**Staff:** Omeara Harrington (786-7136).

#### Background:

The Department of Children, Youth, and Families (DCYF) regulates child care licensing. As part of the licensure process, the DCYF requires early learning spaces to comply with the Washington State Building Code or local building code as enacted at the time of licensure. Prior to licensing, an applicant for a child care license must: (1) have a certificate of occupancy issued by the local building, planning, or zoning department, or a local equivalent if the locality does not have the certificate of occupancy; and (2) be inspected and approved by the Washington State Patrol Director of Fire Protection (DFP), also commonly referred to as the State Fire Marshal. The DFP also conducts inspections upon request of the DCYF when there are changes to an existing license or when the DCYF feels there has been a critical change or safety concern.

The State Building Code adopts several uniform codes by reference, including the International

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Building Code and the International Fire Code. These codes establish guidelines for occupant load, which is the maximum number of people that may occupy a building or a portion of a building at any one time and is used for ensuring adequate means of egress. Under the codes, the occupant load for child care centers requires 35 square feet of net floor space per occupant. The occupant load is also used in combination with the occupancy classification, which is determined according to primary use, for establishing building requirements such as plumbing fixture count, automatic sprinkler systems, and fire alarm and detection systems. Occupancy classification for child care centers varies depending on the age of children being cared for. If the building has multiple uses, the space being licensed must be clearly identified.

**Summary of Bill:**

When a child care center is operated in an existing building that has more than one use, the building official and the Washington State Patrol Director of Fire Protection must calculate the occupancy load based only on the areas of the building where child care services are provided.

**Appropriation:** None.

**Fiscal Note:** Requested on January 27, 2025.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.