



HB0126

Child care is a residential use of property.

Sponsored By: Representative(s) Yin, Andrew, Byron, Heiner and Olsen and Senator(s) Ellis and Schuler

AN ACT relating to property; providing that day care is a residential use of property for the purposes of restrictive covenants; and providing for an effective date.

2/7/2024 Bill Number Assigned
2/9/2024 H Received for Introduction
2/14/2024 H Introduced and Referred to H07 - Corporations 59-1-2-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative Nicholas

Excused: Representative(s) Angelos, Walters

Ayes 59 Nays 1 Excused 2 Absent 0 Conflicts 0

2/20/2024 H07 - Corporations:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Chadwick, Haroldson, Harshman, Knapp, Newsome, Olsen, Ottman, Wylie, Yin

Ayes 9 Nays 0 Excused 0 Absent 0 Conflicts 0

2/20/2024 H Placed on General File

HB0126HS001/ADOPTED

Page 2-line 6 Delete "fifteen (15)" and insert "ten (10)"; after "children" insert "and in which does not have any employees". OLSEN, CHAIRMAN

HB0126HW001/FAILED

Page 1-line 3 After "covenants;" insert "requiring notice;".

Page 2-line 1 Before "For" insert "(a)".

Page 2-after line 6 Insert:

"(b) Before providing child care in a family day care home, if the residential property is located in a subdivision subject to covenants of a homeowners association, the owners of the residential property shall provide notice not later than sixty (60) days before providing child care. The notice shall be in writing and shall be mailed to the homeowners association and each owner of real property whose property is within three hundred (300) feet of the residential property providing child care in a family day care home.". NEWSOME

2/20/2024 H COW:Passed

2/21/2024 H 2nd Reading:Passed

HB0126H3001/WITHDRAWN

HB0126H3002/ADOPTED

Delete the Singh third reading amendment (HB0126H3001/A) entirely and further amend as follows:

Page 2-line 6 In the House standing committee amendment (HB0126HS001/A) to this line, delete "and in which does not have any employees". SINGH

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Crago, Davis, Haroldson, Heiner, Hornok, Jennings, Locke, Neiman, O'hearn, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Storer, Strock, Styvar, Tarver, Ward, Western, Winter, Yin

Nays: Representative(s) Allred, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Eklund, Harshman, Henderson, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, Olsen, Stith, Trujillo, Walters, Washut, Wylie, Zwonitzer, Dan, Zwonitzer, Dave

Ayes 32 Nays 30 Excused 0 Absent 0 Conflicts 0

HB0126H3003/FAILED

Delete the Singh third reading amendment (HB0126H3001/A) entirely and further amend as follows:

Page 1-line 3 After "covenants;" insert "requiring notice;".

Page 2-line 1 Before "For" insert "(a)".

Page 2-after line 6 Insert:

"(b) Before providing child care in a family day care home, if the residential property is located in a subdivision subject to covenants of a homeowners association, the owners of the residential property shall provide notice not later than thirty (30) days before beginning to provide child care. The notice shall be in writing and shall be mailed to the homeowners association and each owner of real property whose property is within three hundred (300) feet of the residential property providing child care in a family day care home.". NEWSOME

HB0126H3004/ADOPTED

Page 2-lines 8 through 11 Delete entirely and insert:

"**Section 2.** This act shall only apply to covenants on residential property that are adopted on or after July 1, 2024.". NICHOLAS

2/22/2024 H 3rd Reading:Passed 45-17-0-0-0

ROLL CALL

Ayes: (s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Burkhart, Jr, Byron, Chestek, Clouston, Crago, Davis, Eklund, Haroldson, Heiner, Hornok, Jennings, Larsen, Lloyd, Lawley, Locke, Neiman, Northrup, Obermueller, O'hearn, Olsen, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh,

Slagle, Smith, Speaker Sommers, Storer, Strock, Styvar, Tarver, Ward, Washut, Western, Wylie, Yin, Zwonitzer, Dan

Nays: (s) Brown, Chadwick, Conrad, Harshman, Henderson, Knapp, Larson, Jt, Newsome, Nicholas, Niemiec, Oakley, Ottman, Stith, Trujillo, Walters, Winter, Zwonitzer, Dave

Ayes 45 **Nays** 17 **Excused** 0 **Absent** 0 **Conflicts** 0

2/23/2024 S Received for Introduction

2/23/2024 S Introduced and Referred to S07 - Corporations

2/29/2024 S07 - Corporations:Recommend Amend and Do Pass 3-1-1-0-0

ROLL CALL

Ayes: Senator(s) Barlow, Boner, Scott

Nays: Senator Case

Excused: Senator Landen

Ayes 3 **Nays** 1 **Excused** 1 **Absent** 0 **Conflicts** 0

2/29/2024 S Placed on General File

HB0126SS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 3 Delete "specifying applicability;".

Page 2-line 1 Delete ", providing" and insert "that does not clearly and expressly prohibit child care, the provision of".

Page 2-lines 8 through 10 Delete entirely and renumber as necessary.

Page 2-line 12 Delete "**Section 3.**" and insert "**Section 2.**". CASE, CHAIRMAN

3/1/2024 S COW:Passed

3/4/2024 S 2nd Reading:Passed

3/5/2024 S 3rd Reading:Passed 23-8-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Landen, Nethercott, Pappas, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator(s) Bouchard, Case, Jones, Kinskey, Kolb, Laursen, Mckeown, President Driskill

Ayes 23 **Nays** 8 **Excused** 0 **Absent** 0 **Conflicts** 0

3/5/2024 H Received for Concurrence

3/5/2024 H Concur:Passed 51-5-6-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Burkhart, Jr, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larson, Jt, Lawley, Locke, Neiman, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Storer, Strock, Styvar, Tarver, Walters, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dave

Nays: Representative(s) Brown, Byron, Eklund, Newsome, Zwonitzer, Dan

Excused: Representative(s) Berger, Henderson, Larsen, Lloyd, Nicholas, Stith, Trujillo

Ayes 51 **Nays** 5 **Excused** 6 **Absent** 0 **Conflicts** 0

3/6/2024 Assigned Number HEA No. 0043
3/6/2024 H Speaker Signed HEA No. 0043
3/7/2024 S President Signed HEA No. 0043