

2016 Regular Session

HOUSE BILL NO. 361

BY REPRESENTATIVE PYLANT

CHILDREN/CARE: Provides penalties for persons operating early learning centers without a valid license

1 AN ACT

2 To amend and reenact R.S. 17:407.37, relative to early learning centers; to provide penalties  
3 for persons operating an early learning center without a valid license issued by the  
4 state Department of Education; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:407.37 is hereby amended and reenacted to read as follows:

7 §407.37. Operating without a license; penalties

8 ~~A. Whoever~~ The department may take action against a person who operates  
9 ~~any an~~ an early learning center without a valid license issued by the department ~~shall~~  
10 ~~be fined by the department not less than one thousand dollars for each day of such~~  
11 ~~offense.~~ Such actions may include the following:

12 (1) Assessing a civil fine of up to one thousand dollars for each day of the  
13 knowing and continued unlicensed operation of an early learning center.

14 (2) Filing a suit in the district court in the parish in which the center is  
15 located for injunctive relief including a temporary restraining order to enjoin the  
16 institution, agency, corporation, person or persons, or any other group from  
17 continuing the violation.

18 ~~B. If any early learning center operates without a valid license issued by the~~  
19 ~~department, the department may file suit in the district court in the parish in which~~  
20 ~~the center is located for injunctive relief, including a temporary restraining order, to~~

1           ~~restrain the institution, agency, corporation, person or persons, or any other group~~  
2           ~~operating the center from continuing the violation.~~

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 361 Original

2016 Regular Session

Pylant

**Abstract:** Provides specific penalties for persons operating an early learning center without a valid license issued by the state Dept. of Education.

Present law provides for penalties for persons who operate an early learning center without a valid license issued by the state Dept. of Education. Provides for fines of at least \$1,000 for each day of such offense. Authorizes the department to file suit in the district court in the parish where the center is located for injunctive relief including a temporary restraining order.

Proposed law changes the amount of the fine from at least \$1,000 to no more than \$1,000. Otherwise retains present law.

(Amends R.S. 17:407.37)