HOUSE DOCKET, NO. 1595 FILED ON: 1/17/2013

HOUSE . . . . . No. 123

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act pertaining to violations of the Department of Early Education and Care advertising law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
Marcos A. Devers	*16th Essex*
Denise Provost	*27th Middlesex*

HOUSE DOCKET, NO. 1595 FILED ON: 1/17/2013

HOUSE . . . . . No. 123

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 123) of Kay Khan, Marcos A. Devers and Denise Provost relative to child placement enforcement by the Department of Early Education and Care. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *981* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act pertaining to violations of the Department of Early Education and Care advertising law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

M.G.L. Ch15D, sec15 is amended by striking (b) and replacing it with the following;

(b) Notwithstanding any general or special law, rule or regulation to the contrary, if the department determines that any person has engaged in the placement or reception of a child under 16 years of age for family foster care or adoption and/or has provided family child care, large family child care, child care center care, school-aged child care program, group residential care, or temporary shelter care, without holding the required license or approval, it may order such person to cease and desist from such unlawful act or practice and may take such affirmative action, including the imposition of a civil administrative fine. The department may assess and collect a civil administrative fine not to exceed $1,000 for the first violation and a civil administrative fine not to exceed $2,500 for a second or subsequent violation. Nothing in this section shall affect, restrict, diminish or limit any other fine or remedy provided by law.

(c) Upon petition of the department, the superior court shall have jurisdiction to enjoin any violation of said section 6, order payment of an assessed fine, or to take such other action that equity and justice may require.