



# House of Representatives

General Assembly

**File No. 229**

January Session, 2025

Substitute House Bill No. 6839

*House of Representatives, March 25, 2025*

The Committee on Children reported through REP. PARIS of the 145th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT INCREASING THE NUMBER OF CHILDREN PERMITTED IN FAMILY CHILD CARE HOMES AND CONCERNING THE OPERATION OF FAMILY CHILD CARE HOMES AND GROUP CHILD CARE HOMES IN CONDOMINIUMS AND RENTAL UNITS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of subsection (a) of section 19a-77 of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2025*):

4 (3) A "family child care home" which consists of a private family  
5 home providing care (A) for (i) not more than six children, including the  
6 provider's own children not in school full time, without the presence or  
7 assistance of an assistant or substitute staff member approved by the  
8 Commissioner of Early Childhood, pursuant to section 19a-87b, present  
9 and assisting the provider, or (ii) not more than [nine] twelve children,  
10 including the provider's own children, with the presence and assistance  
11 of such approved assistant or substitute staff member, and (B) for not  
12 less than three or more than twelve hours during a twenty-four-hour

13 period and where care is given on a regularly recurring basis except that  
14 care may be provided in excess of twelve hours but not more than  
15 seventy-two consecutive hours to accommodate a need for extended  
16 care or intermittent short-term overnight care. During the regular school  
17 year, for providers described in subparagraph (A)(i) of this subdivision,  
18 a maximum of three additional children who are in school full time,  
19 including such provider's own children, shall be permitted, except that  
20 if such provider has more than three children who are such provider's  
21 own children and in school full time, all of such provider's own children  
22 shall be permitted. During the summer months when regular school is  
23 not in session, for providers described in subparagraph (A)(i) of this  
24 subdivision, a maximum of three additional children who are otherwise  
25 enrolled in school full time shall be permitted if there is such an  
26 approved assistant or substitute staff member present and assisting  
27 such provider, except that (i) if such provider has more than three such  
28 additional children who are such provider's own children, all of such  
29 provider's own children shall be permitted, and (ii) such approved  
30 assistant or substitute staff member shall not be required if all of such  
31 additional children are such provider's own children;

32 Sec. 2. Subsection (a) of section 47a-4 of the general statutes is  
33 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
34 *2025*):

35 (a) A rental agreement shall not provide that the tenant: (1) Agrees to  
36 waive or forfeit rights or remedies under this chapter and sections 47a-  
37 21, as amended by this act, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-  
38 26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46,  
39 or under any section of the general statutes or any municipal ordinance  
40 unless such section or ordinance expressly states that such rights may  
41 be waived; (2) authorizes the landlord to confess judgment on a claim  
42 arising out of the rental agreement; (3) agrees to the exculpation or  
43 limitation of any liability of the landlord arising under law or to  
44 indemnify the landlord for that liability or the costs connected  
45 therewith; (4) agrees to waive his right to the interest on the security  
46 deposit pursuant to section 47a-21, as amended by this act; (5) agrees to

47 permit the landlord to dispossess him without resort to court order; (6)  
48 consents to the distraint of his property for rent; (7) agrees to pay the  
49 landlord's attorney's fees in excess of fifteen per cent of any judgment  
50 against the tenant in any action in which money damages are awarded;  
51 (8) agrees to pay a late charge prior to the expiration of the grace period  
52 set forth in section 47a-15a or to pay rent in a reduced amount if such  
53 rent is paid prior to the expiration of such grace period; (9) agrees to pay  
54 a late charge on rent payments made subsequent to such grace period  
55 in an amount exceeding the amounts set forth in section 47a-15a; [or]  
56 (10) agrees to pay a heat or utilities surcharge if heat or utilities is  
57 included in the rental agreement; or (11) for any rental agreement  
58 executed or amended on or after July 1, 2025, is prohibited from  
59 operating a licensed family child care home or group child care home,  
60 as described in section 19a-77, as amended by this act, or otherwise  
61 restricted in the operation of any such home.

62 Sec. 3. Subsection (c) of section 47-70 of the general statutes is  
63 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
64 *2025*):

65 (c) The declaration may include such covenants and restrictions  
66 concerning the use, occupancy and transfer of units as are permitted by  
67 law with reference to real property [; provided, however, that] (1)  
68 provided the rule against perpetuities and the rule restricting  
69 unreasonable restraints on alienation shall not be applied to defeat any  
70 rights given by the condominium instruments or by this chapter, and (2)  
71 except any declaration executed on or after July 1, 2025, shall not  
72 prohibit the operation of a licensed family child care home or group  
73 child care home, as described in section 19a-77, as amended by this act,  
74 or otherwise restrict the operation of any such home.

75 Sec. 4. Subsection (b) of section 47-224 of the general statutes is  
76 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
77 *2025*):

78 (b) The declaration may contain any other matters not inconsistent  
79 with this chapter that the declarant considers appropriate, including any

80 restrictions on the uses of a unit or the number or other qualifications of  
81 persons who may occupy units, except any such declaration executed  
82 on or after July 1, 2025, shall not prohibit the operation of a licensed  
83 family child care home or group child care home, as described in section  
84 19a-77, as amended by this act, or otherwise restrict the operation of any  
85 such home.

86 Sec. 5. Subsection (b) of section 47a-21 of the general statutes is  
87 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
88 *2025*):

89 (b) (1) In the case of a tenant under sixty-two years of age, a landlord  
90 shall not demand a security deposit in an amount that exceeds two  
91 months' rent.

92 (2) In the case of a tenant sixty-two years of age or older, a landlord  
93 shall not demand a security deposit in an amount that exceeds one  
94 month's rent. Any landlord who has received a security deposit in an  
95 amount that exceeds one month's rent from a tenant who becomes sixty-  
96 two years of age after paying such security deposit shall return the  
97 portion of such security deposit that exceeds one month's rent to the  
98 tenant upon the tenant's request.

99 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this  
100 subsection, in the case of a tenant who operates a licensed family child  
101 care home or group child care home, as described in section 19a-77, as  
102 amended by this act, a landlord may demand a security deposit in an  
103 amount that exceeds two months' rent.

104 Sec. 6. (NEW) (*Effective July 1, 2025*) The operator of a licensed child  
105 care home or group child care home, as described in section 19a-77 of  
106 the general statutes, as amended by this act, may name such operator's  
107 landlord, as defined in section 47a-1 of the general statutes, association  
108 of unit owners for a condominium, as such term is defined in section 47-  
109 68a of the general statutes, or unit owners' association of a common  
110 interest community, as such term is defined in section 47-202 of the  
111 general statutes, as an additional insured in any renter's or homeowner's

112 insurance policy that provides coverage for such operator and is issued  
113 or renewed on or after July 1, 2025.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	19a-77(a)(3)
Sec. 2	<i>July 1, 2025</i>	47a-4(a)
Sec. 3	<i>July 1, 2025</i>	47-70(c)
Sec. 4	<i>July 1, 2025</i>	47-224(b)
Sec. 5	<i>July 1, 2025</i>	47a-21(b)
Sec. 6	<i>July 1, 2025</i>	New section

**KID**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which increases the number of children permitted in a licensed family child care home from nine to twelve with the presence of an approved assistant staff member, does not result in a fiscal impact to the state.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sHB 6839*****AN ACT INCREASING THE NUMBER OF CHILDREN PERMITTED IN FAMILY CHILD CARE HOMES AND CONCERNING THE OPERATION OF FAMILY CHILD CARE HOMES AND GROUP CHILD CARE HOMES IN CONDOMINIUMS AND RENTAL UNITS.*****SUMMARY**

The bill allows family child care homes, where licensed child care is provided in a private family home, to serve a maximum of 12 children rather than nine if the provider has an early childhood commissioner-approved assistant or substitute staff member present (§ 1).

By law, the individual provider can serve up to six children, including the provider's own children who are not in school full time. Current law permits an additional three children, including the provider's own children, if an assistant or a substitute staff member is present.

The bill also bans rental agreements and condominium and common interest community association declarations from prohibiting or restricting a person from operating a licensed family or group child care home (§§ 2-4). Additionally, the bill allows a landlord to require a security deposit that exceeds two months' rent for a tenant who operates a licensed family or group child care home (§ 5).

Additionally, the bill allows a licensed family or group child care home operator to name the operator's landlord, condominium association, or common interest community association as an additional insured party in any renter's or homeowner's insurance policy providing the operator's coverage if it was issued or renewed on or after July 1, 2025 (§ 6).

By law a group child care home (1) offers or provides care to between

7 and 12 related or unrelated children on a regular basis or (2) meets the family child care home definition except that it is not in a private family home.

EFFECTIVE DATE: July 1, 2025

## **§§ 2 & 5 — RENTAL AGREEMENTS AND CHILD CARE OPERATORS**

The bill prevents rental agreements entered into or amended on or after July 1, 2025, from prohibiting or restricting a tenant from operating a licensed family or group child care home.

Relatedly, the bill raises the security deposit maximum amount a landlord can charge a tenant who operates a licensed family or group child care home. Under current law, a landlord cannot require a security deposit of more than two months' rent from tenants under age 62 or more than one month's rent for tenants aged 62 or older. The bill allows a landlord to require a security deposit in an amount that exceeds two months' rent for a tenant who operates a licensed family or group child care home, regardless of the tenant's age.

## **§§ 3 & 4 — CONDOMINIUM AND COMMON INTEREST COMMUNITIES AND CHILD CARE OPERATORS**

Current condominium and common interest community law permits the association declarations to restrict the uses of a unit. The bill creates an exception to this that prevents any declaration executed on or after July 1, 2025, from prohibiting the operation of a licensed family or group child care home in a unit.

## **COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 13    Nay 4    (03/06/2025)