

Tab 3	SB 1462 by Bracy Davis ; Identical to H 01267 Temporary Cash Assistance Eligibility
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Tab 4	SB 1690 by Calatayud ; Compare to CS/H 00765 Early Childhood Education
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Tab 1	SB 996 by Rodriguez ; Similar to H 00395 Dependent Children
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Tab 2	SB 1022 by Polsky ; Identical to H 00933 Children's Initiatives
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CHILDREN, FAMILIES, AND ELDER AFFAIRS

Senator Grall, Chair
Senator Garcia, Vice Chair

MEETING DATE: Tuesday, February 3, 2026

TIME: 1:00—3:00 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Grall, Chair; Senator Garcia, Vice Chair; Senators Harrell, Rouson, Sharief, and Simon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 996 Rodriguez (Similar H 395)	Dependent Children; Requiring the Department of Children and Families and each community-based care lead agency to coordinate with certain organizations and meet at least quarterly for a specified purpose; requiring the department and each community-based care lead agency to make certain information available on their respective websites; requiring a caregiver to provide a weekly cash allowance to each child in his or her care beginning when the child attains a certain age; prohibiting a caregiver from withholding a child's allowance as punishment, etc.	
		CF 02/03/2026 AHS FP	
2	SB 1022 Polsky (Identical H 933)	Children's Initiatives; Establishing the Bay County 32401 Children's Initiative in Bay County and the Pompano RYZE Children's Initiative in Broward County; providing for the projects to be managed by not-for-profit corporations; declaring that the initiatives are subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of this state, etc.	
		CF 02/03/2026 AHS FP	
3	SB 1462 Bracy Davis (Identical H 1267)	Temporary Cash Assistance Eligibility; Deleting the prohibition against awarding benefits to a person who has a felony drug conviction for trafficking; deleting specified requirements a person convicted of a drug felony must meet to receive benefits, etc.	
		CF 02/03/2026 AHS FP	

COMMITTEE MEETING EXPANDED AGENDA

Children, Families, and Elder Affairs

Tuesday, February 3, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1690 Calatayud (Compare H 765)	Early Childhood Education; Revising the definition of the terms “child care facility” and “child care personnel”; revising the minimum standards for child care facility licensing; deleting provisions that require large family child care homes to provide parents of enrolled children information relating to certain viruses and the risks of leaving children in vehicles; prohibiting insurers from denying, cancelling, or refusing to renew a policy for residential property insurance on the basis that the policyholders or applicants operate large family child care homes, etc. CF 02/03/2026 ED AP	

Other Related Meeting Documents

By Senator Bracy Davis

15-00782-26

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A bill to be entitled
An act relating to temporary cash assistance
eligibility; amending s. 414.095, F.S.; deleting the
prohibition against awarding benefits to a person who
has a felony drug conviction for trafficking; deleting
specified requirements a person convicted of a drug
felony must meet to receive benefits; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 414.095, Florida
Statutes, is amended to read:

414.095 Determining eligibility for temporary cash
assistance.—

(1) ELIGIBILITY.—An applicant must meet the eligibility
requirements of this section before receiving services or
temporary cash assistance under this chapter, except that an
applicant is ~~shall be~~ required to register for work and engage
in work activities in accordance with s. 445.024, as designated
by the local workforce development board, and may receive
support services or child care assistance in conjunction with
such requirement. The department shall make a determination of
eligibility based on the criteria listed in this chapter. The
department shall monitor continued eligibility for temporary
cash assistance through periodic reviews consistent with the
food assistance eligibility process. Benefits may not be denied
to an individual solely based on a felony drug conviction~~7~~
~~unless the conviction is for trafficking pursuant to s. 893.135.~~

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~~To be eligible under this section, an individual convicted of a drug felony must be satisfactorily meeting the requirements of the temporary cash assistance program, including all substance abuse treatment requirements. Within the limits specified in this chapter,~~ The state opts out of the provision of Pub. L. No. 104-193, s. 115, that eliminates eligibility for temporary cash assistance and food assistance for any individual convicted of a controlled substance felony.

Section 2. This act shall take effect July 1, 2026.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Children, Families, and Elder Affairs (Bracy Davis) recommended the following:

Senate Amendment (with title amendment)

Delete lines 28 - 34

and insert:

to an individual solely based on a felony drug conviction,
unless the conviction is for trafficking pursuant to s. 893.135.
An individual may not be denied benefits solely on the basis of
a drug trafficking conviction pursuant to s. 893.135 if the
conviction was obtained during a period of time that the
department has determined the individual was an active victim of



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human trafficking, as defined in s. 943.0583(1). To be eligible under this section, an individual convicted of a drug felony must be satisfactorily meeting the requirements of the temporary cash assistance program, including all substance abuse treatment requirements. Within the limits specified in this chapter, The state opts out of the provision of Pub. L. No.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 3 - 7

and insert:

eligibility; amending s. 414.095, F.S.; providing that benefits may not be denied to certain persons solely on the basis of a drug trafficking conviction; providing an

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 1462

INTRODUCER: Senator Bracy Davis

SUBJECT: Temporary Cash Assistance Eligibility

DATE: February 2, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fiore	Tuszynski	CF	Pre-meeting
2.			AHS	
3.			FP	

I. Summary:

SB 1462 revises eligibility requirements for Florida's Temporary Cash Assistance (TCA) program by removing restrictions on TCA eligibility based on certain felony drug convictions. Specifically, the bill amends s. 414.095, Florida Statutes (F.S.), to remove the disqualification of someone who has been convicted of drug trafficking and also eliminates treatment-related eligibility requirements.

The bill maintains Florida's statutory opt-out of the federal lifetime ban on public assistance for individuals convicted of controlled substance felonies and the prohibition against denying TCA benefits solely on the basis of a felony drug conviction.

The bill has an indeterminate negative fiscal impact on state government with a potential increase in TCA expenditures to newly eligible individuals.

The bill has an effective date of July 1, 2026.

II. Present Situation:

Temporary Cash Assistance Program

Florida's Temporary Cash Assistance (TCA) program is the state's implementation of the federal Temporary Assistance for Needy Families (TANF) block grant, authorized under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).¹ The program is intended to provide short-term financial assistance to low-income families with children while promoting work, self-sufficiency, and family stability.² In Florida, the TCA program is

¹ Pub. L. 104-193, § 103, 110 Stat. 2105 (1996), <https://www.govinfo.gov/content/pkg/PLAW-104publ193/pdf/PLAW-104publ193.pdf>; and ss. 414.0252(12), 414.035, and 414.045, F.S.

² Sections 414.025, 414.085, 414.095(1), and 414.105, F.S.

administered by the Department of Children and Families (DCF).³ To receive TCA benefits, an applicant must meet financial eligibility criteria and comply with work registration and participation requirements, unless exempt.⁴ Eligibility determinations and ongoing reviews are conducted by the DCF, which also monitors continued compliance with program requirements.⁵ As of December 2025, there were 16,563 families receiving TCA benefits.⁶

Eligibility

The TCA program requires applicants to meet the following criteria to be eligible:

- Be a U.S. citizen or qualified noncitizen;⁷
 - Qualified noncitizens include refugees, asylees, lawful permanent residents, Cuban or Haitian entrants, and certain battered individuals eligible under the Violence Against Women Act.⁸
 - Each member of the family household must provide a Social Security number or proof of application for a Social Security number.⁹
- Be a legal resident of Florida;¹⁰
- Have a minor child residing with a custodial parent or relative caregiver;¹¹
 - For pregnant woman with no other children, TCA benefits are generally restricted to the final month of pregnancy, with limited exceptions for medically restricted individuals during the last trimester.¹²
- Have a gross family household income of 185 percent or less of the federal poverty level;¹³
- Have liquid and nonliquid resources, for all members of the family household, valued at no more than \$2,000 (excluding vehicles valued up to \$8,500, or up to any value if vehicle is used for and equipped for the transportation of a disabled family household member);¹⁴ and
- Register for work with the local workforce development board, unless an applicant qualifies for an exemption.¹⁵

Applications must be acted upon within 30 days, and benefits generally begin either upon approval or 30 days after application, whichever occurs first.¹⁶ TCA is generally limited to a lifetime maximum of 48 months unless the individual qualified under the following: hardship

³ See generally Ch. 414, F.S.; and Florida Department of Children and Families, *Temporary Cash Assistance (TCA)*, <https://www.myflfamilies.com/services/public-assistance/temporary-cash-assistance> (last visited on 1/28/2026).

⁴ Section 414.095(1), F.S.

⁵ *Id.*

⁶ Florida Department of Children and Families, *ESS Standard Reports: Flash Points*, available at <https://www.myflfamilies.com/services/public-assistance/additional-resources-and-services/ess-standard> (last visited on 1/28/2026).

⁷ Section 414.095(2)(a)1., F.S.

⁸ Section 414.095(3), F.S.

⁹ Section 414.095(2)(a)3., F.S.

¹⁰ Section 414.095(2)(a)2., F.S.

¹¹ Section 414.095(2)(a)4., F.S.

¹² Section 414.095(5), F.S.

¹³ Section 414.085(1)(a), F.S.; see also U.S. Department of Health and Human Services, *U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Programs*, HHS (2026), <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

¹⁴ Section 414.075, F.S.

¹⁵ Section 414.095(1), F.S.

¹⁶ Section 414.095(8), F.S.

extension; exemption for victims of domestic violence; Supplemental Security Income or Social Security Disability Insurance recipient or applicant; individual caring for a disabled family member; or child-only case.¹⁷

Benefit Amounts

Florida law establishes a three-tier shelter payment standard, linking benefit levels to family size and shelter obligations.¹⁸ A “shelter obligation” exists when the family household has the responsibility to pay for the cost of housing, such as mortgage, rent or room and board payment.¹⁹ The following chart depicts the top levels of temporary cash assistance:

Family Size	Zero Shelter Obligation	Greater than Zero Less than or Equal to \$50	Greater than \$50 Shelter Obligation or Homeless
1	\$95	\$153	\$180
2	\$158	\$205	\$241
3	\$198	\$258	\$303
4	\$254	\$309	\$364
5	\$289	\$362	\$426
6	\$346	\$414	\$487
7	\$392	\$467	\$549
8	\$438	\$519	\$610
9	\$485	\$570	\$671
10	\$534	\$623	\$733
11	\$582	\$676	\$795
12	\$630	\$728	\$857
13	\$678	\$781	\$919

Benefits are calculated based on the average monthly gross family income, earned and unearned, less any applicable disregards (\$200 plus one-half of the remainder). The resulting monthly net income amount is then subtracted from the applicable payment standard to determine the monthly benefit amount.²⁰ The following table shows examples on how the shelter payment standard is applied in practice.

Family Size	Shelter Obligation Tier	Payment Standard	Gross Income	Countable Net Income	Monthly TCA Grant
3	> \$50 / Homeless	\$303	\$0	\$0	\$303
2	> \$50 / Homeless	\$241	\$900	$\$900 - \$200 = \$700$ $\$700 / 2 = \mathbf{\$350}$	$\$241 - \$350 = -\$109$ \$0
2	> \$0 and ≤ \$50	\$205	\$600	$\$600 - \$200 = \$400$ $\$400 / 2 = \mathbf{\$200}$	$\$205 - \$200 = \$5$ \$5
3	\$0	\$198	\$500	$\$500 - \$200 = \$300$ $\$300 / 2 = \mathbf{\$150}$	$\$198 - \$150 = \$48$ \$48

¹⁷ Section 414.105, F.S.

¹⁸ Section 414.095(10), F.S.

¹⁹ 65A-4.220(2)(b), F.A.C.

²⁰ Section 414.095(11)-(12), F.S.

TCA is issued as a single household grant and paid to one designated payee rather than distributed individually to each household member. It may be paid as follows:

- Direct payment through state warrant, electronic transfer of temporary cash assistance, or voucher.
- Payment to an alternative payee.
- Payment for subsidized employment.
- Pay-after-performance arrangements with public or private not-for-profit agencies.²¹

Controlled Substance Ban

PRWORA established a lifetime federal ban on TANF benefits for individuals convicted of a felony offense involving the possession, use, or distribution of a controlled substance.²² However, PRWORA expressly allows states to opt out of or modify this ban through state law. Florida has exercised this option and has statutorily opted out of the federal ban.

Current law reflects this opt-out while simultaneously imposing certain state-level restrictions and conditions related to felony drug convictions. TCA benefits may not be denied based solely on a felony drug conviction, unless the conviction involves drug trafficking under s. 893.135, F.S.,²³ which includes agreeing, conspiring, combining, or confederating with another person to commit drug trafficking.²⁴ Drug trafficking is a first-degree felony punishable by up to 30 years of imprisonment and, depending upon the drug type and amount trafficked, fines from \$25,000 to \$500,000.²⁵ During the application process, individuals seeking TCA benefits self-attest if they have been convicted of felony drug trafficking.²⁶ This information is then confirmed by an eligibility specialist during the applicant's interview.²⁷ If the illegal behavior that led to the conviction occurred on or before August 22, 1996, or if a court expunges the felony drug trafficking conviction, the individual is not subject to the disqualification.²⁸

The DCF reports that three individuals were denied TCA benefits in 2025 due to drug trafficking convictions.²⁹ While an individual is disqualified, his or her family may still apply for and receive benefits. In such instances, the disqualified individual's needs are excluded in calculating the family's benefits, although the individual's income and assets are included in determining the household's eligibility.³⁰ This means that, while those with drug trafficking convictions may still

²¹ Section 414.095(13), F.S.

²² Pub. L. 104-193, § 115, 110 Stat. 2105 (1996).

²³ Section 414.095(1), F.S.

²⁴ Section 893.135(5), F.S.

²⁵ Section 893.135(1), F.S.

²⁶ Florida Department of Children and Families, Government Assistance Application: *ACCESS Florida Application*, at pg. 4, <https://www.myflfamilies.com/services/public-assistance/additional-resources-and-services/ess-forms>.

²⁷ Florida Department of Children and Families, *ESS Policy Manual 0620.0105, Eligibility Interview (TCA)*, at pg. 8, <https://ffic.myflfamilies.com/manual/600.pdf> (last visited on 01/28/2026).

²⁸ Florida Department of Children and Families, *ESS Policy Manual 1420.2200, Individual Convicted Felony Drug Trafficking (TCA)*, at pg. 71, <https://ffic.myflfamilies.com/manual/1410.pdf> (last visited on 01/28/2026).

²⁹ This number is based on applicants who report a felony drug trafficking conviction during the application/eligibility process. The number of people who choose not to apply due to a felony drug trafficking conviction is unknown. Email from Chancer Teel, Director of Legislative Affairs, Florida Department of Children and Families, *Senate Request: SB 1462 Temporary Cash Assistance Eligibility*, January 29, 2026.

³⁰ 65A-4.208(3), F.A.C.

apply for assistance for their children, the overall household receives less support because of the current bans.

Individuals who are convicted of a drug felony, but who are otherwise eligible for TCA benefits, are required to satisfactorily meet all program requirements, including any applicable substance abuse treatment requirements.³¹ Temporary exceptions from TCA work requirements may be granted to allow participation in outpatient substance abuse treatment for up to five hours per week, with an annual cap of 100 hours, subject to verification by the local workforce development board designee.³²

III. Effect of Proposed Changes:

Section 1 amends s. 414.095, F.S., to remove statutory language that bars eligibility for TCA benefits based on a drug trafficking conviction. The section also removes specific requirements tied to substance abuse treatment as a condition of eligibility. Florida's opt-out of the federal lifetime ban under PRWORA is retained, thereby continuing the state's policy choice not to impose a categorical federal disqualification.

As a result, individuals with a drug trafficking conviction would be evaluated for TCA eligibility using the same criteria applied to other applicants, including income, family composition, and work participation. Individuals who have a felony drug conviction but are otherwise eligible for TCA will no longer need to participate in substance abuse treatment as a condition of their eligibility.

Section 2 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

³¹ Section 414.095(1), F.S.

³² 65A-4.206(7), F.A.C.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill has an indeterminate positive fiscal impact on individuals previously disqualified from TCA benefits because of felony drug trafficking convictions. These individuals will now be eligible to receive such benefits, assuming they meet all of the other eligibility requirements.

C. Government Sector Impact:

The bill has an indeterminate negative fiscal impact on state government with a potential increase in TCA expenditures to newly eligible individuals

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 414.095

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Calatayud

38-00999C-26

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A bill to be entitled

An act relating to early childhood education; amending s. 402.302, F.S.; revising the definition of the terms "child care facility" and "child care personnel"; defining the term "school-age children"; amending s. 402.305, F.S.; conforming a cross-reference; revising the minimum standards for child care facility licensing; amending s. 402.3131, F.S.; deleting provisions that require large family child care homes to provide parents of enrolled children information relating to certain viruses and the risks of leaving children in vehicles; amending s. 627.70161, F.S.; changing the term "family day care" to "family child care"; providing legislative intent relating to large family child care homes; defining the term "large family child care home"; prohibiting residential property insurance policies from providing coverage for liability for claims arising out of, or in connection with, the operations of large family child care homes; providing that insurers are under no obligation to defend against lawsuits covering such claims; providing exceptions; prohibiting insurers from denying, cancelling, or refusing to renew a policy for residential property insurance on the basis that the policyholders or applicants operate large family child care homes; providing exceptions; amending s. 1001.24, F.S.; revising the definition of the term "Department of Education direct-support organization"; amending s. 1002.95, F.S.; requiring,

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subject to an appropriation, that the administrator of the Teacher Education and Compensation Helps (TEACH) Scholarship Program administer the Center for Early Childhood Professional Recognition for a specified purpose; amending s. 39.101, F.S.; conforming a cross-reference; requiring the Department of Education, the Florida Lottery, and CareerSource Florida, Inc., to examine the creation of a program to provide child care and early learning options for children from certain families; requiring such entities to submit a report to the Governor and the Legislature by a specified date; specifying requirements for the report; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (15) through (18) of section 402.302, Florida Statutes, are redesignated as subsections (16) through (19), respectively, a new subsection (15) is added to that section, and subsections (2) and (3) of that section are amended, to read:

402.302 Definitions.—As used in this chapter, the term:

(2) "Child care facility" includes any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

(a) Public schools and nonpublic schools and their

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administered ~~integral~~ programs, except as provided in s.
402.3025.~~+~~

(b) Summer camps having children in full-time residence.~~+~~

(c) Summer day camps.~~+~~

(d) Bible schools normally conducted during vacation
periods.~~+~~ ~~and~~

(e) Operators of transient establishments, as defined in
chapter 509, which provide child care services solely for the
guests of their establishment or resort, provided that all child
care personnel of the establishment are screened according to
the level 2 screening requirements of chapter 435.

(f) Before- and after-school programs, and any program
during off-school hours, offered and operated by public
elementary schools at school sites for the schools' student
populations.

(3) "Child care personnel" means all owners, operators,
employees, and volunteers working in a child care facility. The
term does not include persons who work in a child care facility
after hours when children are not present or parents of children
in a child care facility. For purposes of screening, the term
includes any member, over the age of 12 years, of a child care
facility operator's family, or person, over the age of 12 years,
residing with a child care facility operator if the child care
facility is located in or adjacent to the home of the operator
or if the family member of, or person residing with, the child
care facility operator has any direct contact with the children
in the facility during its hours of operation. Members of the
operator's family or persons residing with the operator who are
between the ages of 12 years and 18 years are not required to be

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fingerprinted but must be screened for delinquency records. For purposes of screening, the term also includes persons who work in child care programs that provide care for children 15 hours or more each week in public or nonpublic schools, family day care homes, membership organizations under s. 402.301, or programs otherwise exempted under s. 402.316. The term does not include public or nonpublic school personnel who are providing care during regular school hours, or after hours for activities related to a school's program for students attending public or nonpublic school programs ~~grades kindergarten through 12~~. A volunteer who assists on an intermittent basis for less than 10 hours per month is not included in the term "personnel" for the purposes of screening and training if a person who meets the screening requirement of s. 402.305(2) is always present and has the volunteer in his or her line of sight. Students who observe and participate in a child care facility as a part of their required coursework are not considered child care personnel, provided such observation and participation are on an intermittent basis and a person who meets the screening requirement of s. 402.305(2) is always present and has the student in his or her line of sight.

(15) "School-age children" means children who are:

(a) In kindergarten through grade 12;

(b) Three-year-olds in a public school exceptional student education program; or

(c) Four-year-olds in a public school child care program.

Section 2. Paragraph (a) of subsection (2) and paragraph (a) of subsection (7) of section 402.305, Florida Statutes, are amended to read:

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402.305 Licensing standards; child care facilities.—

(2) PERSONNEL.—Minimum standards for child care personnel shall include minimum requirements as to:

(a) Good moral character based upon screening as defined in s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening provided in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years. The department shall complete the screening and provide the results to the child care facility within 3 business days from the receipt of the criminal history record check. If the department is unable to complete the screening within 3 business days, the department shall issue the current or prospective child care personnel a 45-day provisional-hire status while all required information is being requested and the department is awaiting results unless the department has reason to believe a disqualifying factor may exist. During the 45-day period, the current or prospective child care personnel must be under the direct supervision of a screened and trained staff member when in contact with children.

The department may grant limited exemptions to the minimum standards provided in this subsection which authorize a person to work in a specified role or with a specified population.

(7) SANITATION AND SAFETY.—

(a) Minimum standards must include requirements for

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146 sanitary and safety conditions, first aid treatment, emergency
147 procedures, and pediatric cardiopulmonary resuscitation. The
148 minimum standards must require that ~~at least~~ one staff person
149 trained in person in cardiopulmonary resuscitation, as evidenced
150 by current documentation of course completion, be present at all
151 times that children are present.

152 Section 3. Subsections (9) and (10) of section 402.3131,
153 Florida Statutes, are amended to read:

154 402.3131 Large family child care homes.-

155 ~~(9) During the months of August and September of each year,~~
156 ~~each large family child care home shall provide parents of~~
157 ~~children enrolled in the home detailed information regarding the~~
158 ~~causes, symptoms, and transmission of the influenza virus in an~~
159 ~~effort to educate those parents regarding the importance of~~
160 ~~immunizing their children against influenza as recommended by~~
161 ~~the Advisory Committee on Immunization Practices of the Centers~~
162 ~~for Disease Control and Prevention.~~

163 ~~(10) During the months of April and September of each year,~~
164 ~~at a minimum, each large family child care home shall provide~~
165 ~~parents of children attending the large family child care home~~
166 ~~information regarding the potential for a distracted adult to~~
167 ~~fail to drop off a child at the large family child care home and~~
168 ~~instead leave the child in the adult's vehicle upon arrival at~~
169 ~~the adult's destination. The large family child care home shall~~
170 ~~also give parents information about resources with suggestions~~
171 ~~to avoid this occurrence. The department shall develop a flyer~~
172 ~~or brochure with this information that shall be posted to the~~
173 ~~department's website, which large family child care homes may~~
174 ~~choose to reproduce and provide to parents to satisfy the~~

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~~requirements of this subsection.~~

Section 4. Section 627.70161, Florida Statutes, is amended to read:

627.70161 Family child ~~day~~ care and large family child care insurance.—

(1) PURPOSE AND INTENT.—The Legislature recognizes that family child ~~day~~ care and large family child care homes fulfill a vital role in providing child care in Florida. It is the intent of the Legislature that residential property insurance coverage should not be canceled, denied, or nonrenewed solely on the basis of the child ~~family-day~~ care services at the residence. The Legislature also recognizes that the potential liability of residential property insurers is substantially increased by the rendition of child care services on the premises. The Legislature therefore finds that there is a public need to specify that contractual liabilities that arise in connection with the operation of the family child ~~day~~ care home or the large family child care home are excluded from residential property insurance policies unless they are specifically included in such coverage.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Child care" means the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

(b) "Family child ~~day~~ care home" means an occupied residence in which child care is regularly provided for children

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from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for a profit.

(c) "Large family child care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families; which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit; and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family child care home for at least 2 years, with an operator who has held a child development associate credential or its equivalent for at least 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include any household children under 13 years of age:

1. A maximum of 8 children from birth to 24 months of age.

2. A maximum of 12 children, with no more than 4 children under 24 months of age.

(3) FAMILY ~~CHILD DAY~~ CARE AND LARGE FAMILY CHILD CARE HOMES; COVERAGE.—A residential property insurance policy may ~~shall~~ not provide coverage for liability for claims arising out of, or in connection with, the operation of a family child ~~day~~

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care home or a large family child care home, and the insurer is
not ~~shall be~~ under any ~~no~~ obligation to defend against lawsuits
covering such claims, unless:

(a) Specifically covered in a policy; or

(b) Covered by a rider or endorsement for business coverage
attached to a policy.

(4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
insurer may not deny, cancel, or refuse to renew a policy for
residential property insurance solely on the basis that the
policyholder or applicant operates a family child day care home
or a large family child care home. In addition to other lawful
reasons for refusing to insure, an insurer may deny, cancel, or
refuse to renew a policy of a family child day care home or a
large family child care home provider if one or more of the
following conditions occur:

(a) The policyholder or applicant provides care for more
children than authorized ~~for family day care homes~~ by s.
402.302;

(b) The policyholder or applicant fails to maintain a
separate commercial liability policy or an endorsement providing
liability coverage for the family child day care home or large
family child care home operations;

(c) The policyholder or applicant fails to comply with the
applicable ~~family day care home~~ licensure and registration
requirements specified in chapter 402 ~~s. 402.313~~; or

(d) Discovery of willful or grossly negligent acts or
omissions or any violations of state laws or regulations
establishing safety standards for family child day care homes or
large family child care homes by the named insured or his or her

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representative which materially increase any of the risks insured.

Section 5. Paragraph (a) of subsection (1) of section 1001.24, Florida Statutes, is amended to read:

1001.24 Direct-support organization; use of property; board of directors; audit.—

(1) DEFINITIONS.— For the purposes of this section, the term:

(a) "Department of Education direct-support organization" means an organization:

1. That is a corporation not for profit that is incorporated under the provisions of chapter 617 and approved by the Department of State.

2. That is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the early learning programs under parts V and VI of chapter 1002 and public prekindergarten through 12th grade education in this state.

3. That the State Board of Education, after review, has certified to be operating in a manner consistent with the goals and best interest of the Department of Education.

Section 6. Present subsection (2) of section 1002.95, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1002.95 Teacher Education and Compensation Helps (TEACH) Scholarship Program.—

(2) Subject to an appropriation, the administrator of the TEACH Scholarship Program shall also administer the Center for Early Childhood Professional Recognition to ensure alignment of

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291 training statewide to include, but not be limited to, a system
292 of training approval, a system of trainer approval, and
293 implementation of competency-based assessments aligned with the
294 early learning professional development standards and career
295 pathways under s. 1002.995.

296 Section 7. Paragraph (a) of subsection (4) of section
297 39.101, Florida Statutes, is amended to read:

298 39.101 Central abuse hotline.—The central abuse hotline is
299 the first step in the safety assessment and investigation
300 process.

301 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE
302 HOTLINE.—

303 (a) Information received by the central abuse hotline may
304 not be used for employment screening, except as provided in s.
305 39.202(2)(a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

306 Section 8. The Department of Education, the Florida
307 Lottery, and CareerSource Florida, Inc., shall jointly examine
308 the creation of a program to provide child care and early
309 learning options for children from families employed in
310 occupations that are in demand. The program shall provide
311 vouchers for child care for children between birth and 4 years
312 of age whose parents or grandparents are employed in occupations
313 on the Statewide Demand Occupations List or the Regional Demand
314 Occupations Lists published annually by the Department of
315 Commerce. No later than January 1, 2027, the Department of
316 Education, the Florida Lottery, and CareerSource Florida, Inc.,
317 shall jointly submit a report to the Governor, the President of
318 the Senate, and the Speaker of the House of Representatives
319 which:

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320 (1) Provides an inventory of existing programs that provide
321 child care for children who are from working families.

322 (2) Evaluates whether the child care voucher should be
323 provided in addition to existing programs or when a child is no
324 longer eligible for such programs.

325 (3) Provides legislative recommendations, including, but
326 not limited to:

327 (a) Eligibility criteria, including criteria for
328 prioritization based on targeted occupations and the duration of
329 the child care voucher.

330 (b) A process to apply for and receive a child care
331 voucher.

332 (c) Sources of available funding based on the estimated
333 costs of the program.

334 (d) Other recommendations that support working families.

335 Section 9. This act shall take effect July 1, 2026.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Children, Families, and Elder Affairs
(Calatayud) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) of section 402.306, Florida
Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by
the department and local licensing agency of information on
child care.—

(3) The department and local licensing agencies, or the



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designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and the names and addresses of ~~licensed~~ child care facilities, school readiness program providers, and, where applicable pursuant to s. 402.313, licensed or registered family child ~~day~~ care homes. This information shall also include the number of deaths, serious injuries, and instances of substantiated child abuse that have occurred in child care settings, including those which are exempt pursuant to s. 402.316(1) or (2), each year; research and best practices in child development; and resources regarding social-emotional development, parent and family engagement, healthy eating, and physical activity.

Section 2. Section 402.313, Florida Statutes, is amended to read:

402.313 Family child ~~day~~ care homes.—

(1) Family child ~~day~~ care homes shall be licensed under this act if they are presently being licensed under an existing county licensing ordinance or if the board of county commissioners passes a resolution that family child ~~day~~ care homes be licensed.

(a) If not subject to license, family child ~~day~~ care homes shall register annually with the department, providing the following information:

1. The name and address of the home.
2. The name of the operator.
3. The number of children served.



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40 4. Proof of a written plan to provide at least one other
41 competent adult to be available to substitute for the operator
42 in an emergency. This plan shall include the name, address, and
43 telephone number of the designated substitute.

44 5. Proof of screening and background checks.

45 6. Proof of successful completion of the 30-hour training
46 course, as evidenced by passage of a competency examination,
47 which shall include:

48 a. State and local rules and regulations that govern child
49 care.

50 b. Health, safety, and nutrition.

51 c. Identifying and reporting child abuse and neglect.

52 d. Child development, including typical and atypical
53 language development; and cognitive, motor, social, and self-
54 help skills development.

55 e. Observation of developmental behaviors, including using
56 a checklist or other similar observation tools and techniques to
57 determine a child's developmental level.

58 f. Specialized areas, including early literacy and language
59 development of children from birth to 5 years of age, as
60 determined by the department, for owner-operators of family
61 child day care homes.

62 7. Proof that immunization records are kept current.

63 8. Proof of completion of the required continuing education
64 units or clock hours.

65 (b) A family child day care home may volunteer to be
66 licensed under this act.

67 (c) The department may provide technical assistance to
68 counties and family child day care home providers to enable



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counties and family child ~~day~~ care providers to achieve compliance with family child ~~day~~ care homes standards.

(2) This information shall be included in a directory to be published annually by the department to inform the public of available child care facilities.

(3) Child care personnel in family child ~~day~~ care homes shall be subject to the applicable screening provisions contained in ss. 402.305(2) and 402.3055. For purposes of screening in family child ~~day~~ care homes, the term includes any member over the age of 12 years of a family child ~~day~~ care home operator's family, or persons over the age of 12 years residing with the operator in the family child ~~day~~ care home. Members of the operator's family, or persons residing with the operator, who are between the ages of 12 years and 18 years shall not be required to be fingerprinted, but shall be screened for delinquency records.

(4) Operators of family child ~~day~~ care homes must successfully complete an approved 30-clock-hour introductory course in child care, as evidenced by passage of a competency examination, before caring for children.

(5) In order to further develop their child care skills and, if appropriate, their administrative skills, operators of family child ~~day~~ care homes shall be required to complete an additional 1 continuing education unit of approved training or 10 clock hours of equivalent training, as determined by the department, annually.

(6) Operators of family child ~~day~~ care homes shall be required to complete 0.5 continuing education unit of approved training in early literacy and language development of children



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from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subsection (5).

(7) Operators of family child ~~day~~ care homes shall be required annually to complete a health and safety home inspection self-evaluation checklist developed by the department in conjunction with the statewide resource and referral program. The completed checklist shall be signed by the operator of the family child ~~day~~ care home and provided to parents as certification that basic health and safety standards are being met.

(8) Family child ~~day~~ care home operators may avail themselves of supportive services offered by the department.

(9) The department shall prepare a brochure on family child ~~day~~ care for distribution by the department and by local licensing agencies, if appropriate, to family child ~~day~~ care homes for distribution to parents utilizing such child care, and to all interested persons, including physicians and other health professionals; mental health professionals; school teachers or other school personnel; social workers or other professional child care, foster care, residential, or institutional workers; and law enforcement officers. The brochure shall, at a minimum, contain the following information:

(a) A brief description of the requirements for family child ~~day~~ care registration, training, and fingerprinting and screening.

(b) A listing of those counties that require licensure of family child ~~day~~ care homes. Such counties shall provide an



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addendum to the brochure that provides a brief description of the licensure requirements or may provide a brochure in lieu of the one described in this subsection, provided it contains all the required information on licensure and the required information in the subsequent paragraphs.

(c) A statement indicating that information about the family child day care home's compliance with applicable state or local requirements can be obtained by telephoning the department office or the office of the local licensing agency, if appropriate, at a telephone number or numbers which shall be affixed to the brochure.

(d) The statewide toll-free telephone number of the central abuse hotline, together with a notice that reports of suspected and actual child physical abuse, sexual abuse, and neglect are received and referred for investigation by the hotline.

(e) Any other information relating to competent child care that the department or local licensing agency, if preparing a separate brochure, deems would be helpful to parents and other caretakers in their selection of a family child day care home.

(10) On an annual basis, the department shall evaluate the registration and licensure system for family child day care homes. Such evaluation shall, at a minimum, address the following:

(a) The number of family child day care homes registered and licensed and the dates of such registration and licensure.

(b) The number of children being served in both registered and licensed family child day care homes and any available slots in such homes.

(c) The number of complaints received concerning family



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156 child day care, the nature of the complaints, and the resolution
157 of such complaints.

158 (d) The training activities utilized by child care
159 personnel in family child day care homes for meeting the state
160 or local training requirements.

161
162 The evaluation shall be utilized by the department in any
163 administrative modifications or adjustments to be made in the
164 registration of family child day care homes or in any
165 legislative requests for modifications to the system of
166 registration or to other requirements for family child day care
167 homes.

168 (11) In order to inform the public of the state requirement
169 for registration of family child day care homes as well as the
170 other requirements for such homes to legally operate in the
171 state, the department shall institute a media campaign to
172 accomplish this end. Such a campaign shall include, at a
173 minimum, flyers, newspaper advertisements, radio advertisements,
174 and television advertisements.

175 (12) Notwithstanding any other state or local law or
176 ordinance, any family child day care home licensed pursuant to
177 this chapter or pursuant to a county ordinance shall be charged
178 the utility rates accorded to a residential home. A licensed
179 family child day care home may not be charged commercial utility
180 rates.

181 (13) The department shall, by rule, establish minimum
182 standards for family child day care homes that are required to
183 be licensed by county licensing ordinance or county licensing
184 resolution or that voluntarily choose to be licensed. The



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standards should include requirements for staffing, training, maintenance of immunization records, minimum health and safety standards, reduced standards for the regulation of child care during evening hours by municipalities and counties, and enforcement of standards.

~~(14) During the months of August and September of each year, each family day care home shall provide parents of children enrolled in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.~~

~~(15) During the months of April and September of each year, at a minimum, each family day care home shall provide parents of children attending the family day care home information regarding the potential for a distracted adult to fail to drop off a child at the family day care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The family day care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which family day care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

Section 3. Subsections (9) and (10) of section 402.3131, Florida Statutes, are amended to read:

402.3131 Large family child care homes.—



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~~(9) During the months of August and September of each year, each large family child care home shall provide parents of children enrolled in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.~~

~~(10) During the months of April and September of each year, at a minimum, each large family child care home shall provide parents of children attending the large family child care home information regarding the potential for a distracted adult to fail to drop off a child at the large family child care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The large family child care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which large family child care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

Section 4. Section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(1) The provisions of ss. 402.301-402.319, except for the requirements regarding screening of child care personnel pursuant to ss. 402.305 and 402.3055, do not apply to a child care facility which is an integral part of church or parochial schools, ~~or a child care facility that solely provides child~~



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~~care to eligible children as defined in s. 402.261(1)(c),~~
conducting regularly scheduled classes, courses of study, or
educational programs accredited by, or by a member of, an
organization that ~~which~~ publishes and requires compliance with
its standards for health, safety, and sanitation. ~~However,~~ Such
facilities must ~~shall~~ meet minimum requirements of the
applicable local governing body as to health, sanitation, and
safety ~~and shall meet the screening requirements pursuant to ss.~~
~~402.305 and 402.3055.~~ Failure by a facility to comply with ~~such~~
screening requirements pursuant to ss. 402.305 and 402.3055
shall result in the loss of the facility's exemption from
licensure.

(2) The provisions of ss. 402.301-402.319, except for the
requirements regarding screening of child care personnel
pursuant to ss. 402.305 and 402.3055, do not apply to a child
care facility that solely provides child care to eligible
children as defined in s. 402.261(1)(c). Such facilities must
meet minimum requirements of the applicable local governing body
as to health, sanitation, and safety. Failure by a facility to
comply with screening requirements pursuant to ss. 402.305 and
402.3055 shall result in the loss of the facility's exemption
from licensure.

(3) ~~(2)~~ The provisions of ss. 402.301-402.319 do not apply
to a child care facility or family child day ~~day~~ care home if the
child care facility or family child day ~~day~~ care home has a
certificate issued by the United States Department of Defense or
by the United States Coast Guard to provide child care and has
completed background screening by the United States Department
of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86



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and received a favorable suitability and fitness determination.
If the child care facility or family child ~~day~~ care home elects
to serve children ineligible for care under the United States
Department of Defense Instruction 6060.02, the child care
facility or family child ~~day~~ care home must be licensed under
this chapter.

(4) ~~(3)~~ Any child care facility covered by the exemption
under subsection (1) or subsection (2) which desires to be
licensed may submit an application to the department or local
licensing agency pursuant to s. 402.308(4).

(5) ~~(4)~~ The department and the local licensing agency
pursuant to s. 402.308(4) shall adopt rules to administer and
implement this section, including, but not limited to, any
assessments of previous licensure history.

(6) A child care facility exempt under subsection (1) or
subsection (2) must include, at a minimum, the following
statement on its website, in its promotional materials, and on
its facility-created documents and forms provided to families
served by the child care facility: "(Child care facility name)
is a child care facility operating under an exemption pursuant
to the laws of the State of Florida and is not subject to
licensure or regulation by the Department of Children and
Families."

Section 5. Section 627.70161, Florida Statutes, is amended
to read:

627.70161 Family child ~~day~~ care and large family child care
insurance.—

(1) PURPOSE AND INTENT.—The Legislature recognizes that
family child ~~day~~ care and large family child care homes fulfill



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a vital role in providing child care in Florida. It is the intent of the Legislature that residential property insurance coverage should not be canceled, denied, or nonrenewed solely on the basis of the child ~~family day~~ care services at the residence. The Legislature also recognizes that the potential liability of residential property insurers is substantially increased by the rendition of child care services on the premises. The Legislature therefore finds that there is a public need to specify that contractual liabilities that arise in connection with the operation of the family child ~~day~~ care home or the large family child care home are excluded from residential property insurance policies unless they are specifically included in such coverage.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Child care" means the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

(b) "Family child ~~day~~ care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for a profit.

(c) "Large family child care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families; which receives a payment, fee, or grant for any of the children receiving care, whether or



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not operated for profit; and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family child care home for at least 2 years, with an operator who has held a child development associate credential or its equivalent for at least 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include household children under 13 years of age:

1. A maximum of 8 children from birth to 24 months of age.
2. A maximum of 12 children, with no more than 4 children under 24 months of age.

(3) FAMILY CHILD DAY CARE AND LARGE FAMILY CHILD CARE HOMES; COVERAGE.—A residential property insurance policy may ~~shall~~ not provide coverage for liability for claims arising out of, or in connection with, the operation of a family child day care home or a large family child care home, and the insurer shall be under no obligation to defend against lawsuits covering such claims, unless:

- (a) Specifically covered in a policy; or
- (b) Covered by a rider or endorsement for business coverage attached to a policy.

(4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An



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insurer may not deny, cancel, or refuse to renew a policy for residential property insurance solely on the basis that the policyholder or applicant operates a family child day care home or a large family child care home. In addition to other lawful reasons for refusing to insure, an insurer may deny, cancel, or refuse to renew a policy of a family child day care home or a large family child care home provider if one or more of the following conditions occur:

(a) The policyholder or applicant provides care for more children than authorized ~~for family day care homes~~ by s. 402.302;

(b) The policyholder or applicant fails to maintain a separate commercial liability policy or an endorsement providing liability coverage for the family child day care home or the large family child care home operations;

(c) The policyholder or applicant fails to comply with the applicable ~~family day care home~~ licensure and registration requirements specified in chapter 402 ~~s. 402.313~~; or

(d) Discovery of willful or grossly negligent acts or omissions or any violations of state laws or regulations establishing safety standards for family child day care homes or large family child care homes by the named insured or his or her representative which materially increase any of the risks insured.

Section 6. Section 1001.24, Florida Statutes, is reenacted and amended to read:

1001.24 Direct-support organization; use of property; board of directors; audit.—

(1) DEFINITIONS.—For the purposes of this section, the



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term:

(a) "Department of Education direct-support organization" means an organization:

1. That is a corporation not for profit that is incorporated under the provisions of chapter 617 and approved by the Department of State.

2. That is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the state's early learning programs for children from birth to 5 years of age and public prekindergarten through 12th grade education in this state.

3. That the State Board of Education, after review, has certified to be operating in a manner consistent with the goals and best interest of the Department of Education.

(b) "Personal services" includes full-time or part-time personnel, as well as payroll processing.

(2) USE OF PROPERTY.—The State Board of Education:

(a) May permit the use of property, facilities, and personal services of the department by the direct-support organization, subject to the provisions of this section.

(b) Shall prescribe by rule conditions with which the direct-support organization must comply in order to use property, facilities, or personal services of the department. Such rules shall provide for budget and audit review and for oversight by the department.

(c) Shall not permit the use of property, facilities, or personal services of the direct-support organization if such organization does not provide equal employment opportunities to all persons, regardless of race, color, national origin, gender,



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age, or religion.

(3) BOARD OF DIRECTORS.—The board of directors of the department direct-support organization shall be appointed by the commissioner and shall include representation from business, industry, and other components of Florida's economy.

(4) ANNUAL AUDIT.—Each direct-support organization shall provide for an annual financial audit in accordance with s. 215.981. The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the organization other than the auditor's report, management letter, and any supplemental data requested by the Auditor General and the Office of Program Policy Analysis and Government Accountability shall be confidential and exempt from the provisions of s. 119.07(1).

Section 7. Section 1002.80, Florida Statutes, is created to read:

1002.80 Florida Endowment for Early Learning.—

(1) SHORT TITLE.—This section may be cited as the "Florida Endowment for Early Learning Act."

(2) DEFINITIONS.—As used in this section, the term:

(a) "Board" means the board of directors of the Department of Education direct-support organization under s. 1001.24.

(b) "Endowment fund" means an account established within the Department of Education direct-support organization for the Division of Early Learning within the department to provide a continuing and growing source of revenue for the state's early learning efforts.

(c) "Foundation" means the Department of Education direct-support organization under s. 1001.24.



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(d) "Operating account" means an account established under paragraph (4)(c) to carry out the purposes provided in subsection (6).

(3) LEGISLATIVE INTENT.—The Legislature recognizes that access to high-quality early learning experiences prepares children for a lifetime of success by fostering foundational skills in academics, developing executive functioning skills, and supporting cognitive function. This includes better preparation for kindergarten, stronger cognitive and problem-solving abilities, and improved approaches to learning, which all contribute to greater long-term educational attainment and career success. However, there is a critical need for significant additional funding to achieve this goal.

Accordingly, the Legislature further finds and declares that:

(a) With continued support, this state's youngest residents can have access to high-quality early learning opportunities that reduce the need for significant long-term educational interventions and provide the foundational experiences needed for a child to have success in school and in life.

(b) The purpose of this section is to broaden the participation and funding potential for further significant support for access to early-learning opportunities for this state's youngest learners.

(c) It is appropriate to encourage individual and corporate support and involvement, as well as state support and involvement, to promote access to early learning programs for this state's youngest residents.

(4) REVENUE FOR THE ENDOWMENT FUND.—

(a) The Florida Endowment for Early Learning is established



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within the Department of Education direct-support organization under s. 1001.24 to create a long-term, stable, and growing source of revenue to be administered, in accordance with rules adopted by the department.

(b) The principal of the endowment fund shall derive from any legislative appropriations that may be made to the endowment, and such bequests, gifts, grants, and donations as may be solicited for such purpose by the foundation from public or private sources.

(c) The board of directors of the foundation shall establish the operating account and shall deposit therein the moneys transmitted. Moneys in the operating account shall be available to carry out the purposes of subsection (6).

(d) Funds received from state sources shall be accounted for separately from bequests, gifts, grants, and donations, which may be solicited for such purposes by the foundation from public or private sources. Earnings on funds received from state sources and funds received from public or private sources shall be accounted for separately.

(5) ORGANIZATION, POWERS, AND DUTIES.—Within the limits prescribed in this section or by rule of the department:

(a) The board may solicit and receive bequests, gifts, grants, donations, goods, and services. Where gifts are restricted as to purpose, they may be used only for the purpose or purposes stated by the donor. The board may transmit monetary gifts to the State Board of Administration for deposit in the endowment fund principal.

(b) The board may enter into contracts with the Federal Government, state or local agencies, early learning coalitions,



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private entities, or individuals to carry out the purposes of this section.

(c) The board may identify, initiate, and fund new and creative programs to carry out the purposes of this section, utilizing existing organizations, early learning coalitions, associations, and agencies to carry out such early learning programs and purposes wherever possible.

(d) The board may make gifts or grants to all of the following:

1. The state or any political subdivision thereof, or any public agency of state or local government.

2. An early learning coalition for administration of direct services to children identified by the board.

3. The division for purposes of program recognition and marketing, public relations, and education.

(e) The board may advertise and solicit applications for funding and shall evaluate applications and program proposals submitted thereto. Funding shall be awarded only where the evaluation is positive and the proposal meets both the guidelines for use established in subsection (6) and such evaluation criteria as the department may prescribe by rule.

(f) The board shall monitor, review, and annually evaluate funded programs to determine whether funding should be continued, terminated, reduced, or increased.

(g) The board shall establish an operating account as provided in paragraph (4) (c).

(h) The board may take additional actions, including the hiring of necessary staff, as are deemed necessary and appropriate to administer this section, subject to rules of the



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department.

(6) DISTRIBUTION OF MONEYS.—The board shall use the moneys in the operating account to provide for:

(a) Direct services to children in accordance with an allocation methodology proposed by the Division of Early Learning to an early learning coalition approved by the board.

1. A child receiving direct services from an early learning coalition shall choose from providers under a contract with an early learning coalition pursuant to s. 1002.88.

2. Unless otherwise specified by the donor, the early learning coalition shall apply a parent copay based on family income pursuant to s. 1002.84(9) or s. 1002.935(2)(b).

3. The early learning coalition shall reimburse a provider serving a child using direct service funds from the early learning endowment at the same reimbursement rate allowed pursuant to s. 1002.84(17)(a).

4. Each early learning coalition providing direct services must comply with the same administrative requirements under part VI of chapter 1002.

(b) Programs designed to support early learning as identified by donors, gifts, or grants.

Any allocation of funds made for programs pursuant to paragraph (b) or for advertising or consulting is subject to a competitive solicitation process. State funds may not be used to fund events for private sector donors or potential donors or to honor supporters.

(7) ANNUAL REPORT.—The Division of Early Learning shall include information in its report of activities pursuant to s.



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1002.82(7) summarizing the performance of the endowment fund for the previous fiscal year, summarizing the foundation's fundraising activities and performance, and detailing the activities and programs supported by the endowment principal or earnings on the endowment principal and the activities and programs supported by private sources, bequests, gifts, grants, donations, and other valued goods and services received. The report must also include all of the following:

(a) Financial data, by service type, including expenditures for administration and the provision of services by each early learning coalition.

(b) The amount of funds spent on administrative expenses and fundraising and the amount of funds raised from private sources.

(c) Outcome data, including the number of children served and any child outcomes.

(8) RULES.—The department shall adopt rules to implement this section.

Section 8. Present subsection (2) of section 1002.95, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

1002.95 Teacher Education and Compensation Helps (TEACH) Scholarship Program.—

(2) Subject to an appropriation, the TEACH Scholarship Program administrator shall also establish and administer the Center for Early Childhood Professional Recognition to ensure alignment of training statewide, including, but not limited to, a system of training approval, a system of trainer approval, and implementation of competency-based assessments aligned to the



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early learning professional development standards and career pathways under s. 1002.995.

Section 9. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect; exception.—

(2) Except as provided in subsection (4), access to such records, excluding the name of, or other identifying information with respect to, the reporter which may only be released as provided in subsection (5), may only be granted to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Education, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapters 393 and 394, family child ~~day~~ care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;
6. Employment screening for caregivers in residential group homes and facilities licensed under chapters 393, 394, and 409;
- or
7. Services for victims of domestic violence when provided



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by certified domestic violence centers working at the
department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice
responsible for the provision of services to children, pursuant
to chapters 984 and 985.

Section 10. Section 125.0109, Florida Statutes, is amended
to read:

125.0109 Family child ~~day~~ care homes; local zoning
regulation.—The operation of a residence as a family child ~~day~~
care home, as defined by law, registered or licensed with the
Department of Children and Families shall constitute a valid
residential use for purposes of any local zoning regulations,
and no such regulation shall require the owner or operator of
such family child ~~day~~ care home to obtain any special exemption
or use permit or waiver, or to pay any special fee in excess of
\$50, to operate in an area zoned for residential use.

Section 11. Section 166.0445, Florida Statutes, is amended
to read:

166.0445 Family child ~~day~~ care homes; local zoning
regulation.—The operation of a residence as a family child ~~day~~
care home, as defined by law, registered or licensed with the
Department of Children and Families shall constitute a valid
residential use for purposes of any local zoning regulations,
and no such regulation shall require the owner or operator of
such family child ~~day~~ care home to obtain any special exemption
or use permit or waiver, or to pay any special fee in excess of
\$50, to operate in an area zoned for residential use.

Section 12. Paragraph (j) of subsection (7) of section



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212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(j) *Household fuels*.—Also exempt from payment of the tax imposed by this chapter are sales of utilities to residential households or owners of residential models in this state by utility companies who pay the gross receipts tax imposed under



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s. 203.01, and sales of fuel to residential households or owners of residential models, including oil, kerosene, liquefied petroleum gas, coal, wood, and other fuel products used in the household or residential model for the purposes of heating, cooking, lighting, and refrigeration, regardless of whether such sales of utilities and fuels are separately metered and billed direct to the residents or are metered and billed to the landlord. If any part of the utility or fuel is used for a nonexempt purpose, the entire sale is taxable. The landlord shall provide a separate meter for nonexempt utility or fuel consumption. For the purposes of this paragraph, licensed family child day care homes shall also be exempt.

Section 13. Subsections (3), (8), (9), and (11) of section 402.302, Florida Statutes, are amended to read:

402.302 Definitions.—As used in this chapter, the term:

(3) "Child care personnel" means all owners, operators, employees, and volunteers working in a child care facility. The term does not include persons who work in a child care facility after hours when children are not present or parents of children in a child care facility. For purposes of screening, the term includes any member, over the age of 12 years, of a child care facility operator's family, or person, over the age of 12 years, residing with a child care facility operator if the child care facility is located in or adjacent to the home of the operator or if the family member of, or person residing with, the child care facility operator has any direct contact with the children in the facility during its hours of operation. Members of the operator's family or persons residing with the operator who are between the ages of 12 years and 18 years are not required to be



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fingerprinted but must be screened for delinquency records. For purposes of screening, the term also includes persons who work in child care programs that provide care for children 15 hours or more each week in public or nonpublic schools, family child ~~day~~ care homes, membership organizations under s. 402.301, or programs otherwise exempted under s. 402.316. The term does not include public or nonpublic school personnel who are providing care during regular school hours, or after hours for activities related to a school's program for grades kindergarten through 12. A volunteer who assists on an intermittent basis for less than 10 hours per month is not included in the term "personnel" for the purposes of screening and training if a person who meets the screening requirement of s. 402.305(2) is always present and has the volunteer in his or her line of sight. Students who observe and participate in a child care facility as a part of their required coursework are not considered child care personnel, provided such observation and participation are on an intermittent basis and a person who meets the screening requirement of s. 402.305(2) is always present and has the student in his or her line of sight.

(8) "Family child ~~day~~ care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family child ~~day~~ care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A family child ~~day~~ care home shall be allowed to provide care



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for one of the following groups of children, which shall include household children under 13 years of age:

(a) A maximum of four children from birth to 12 months of age.

(b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.

(c) A maximum of six preschool children if all are older than 12 months of age.

(d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

(9) "Household children" means children who are related by blood, marriage, or legal adoption to, or who are the legal wards of, the family child ~~day~~ care home operator, the large family child care home operator, or an adult household member who permanently or temporarily resides in the home. Supervision of the operator's household children shall be left to the discretion of the operator unless those children receive subsidized child care through the school readiness program pursuant to s. 1002.92 to be in the home.

(11) "Large family child care home" means an occupied residence in which child care is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family child



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~~day~~ care home for 2 years, with an operator who has had a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include household children under 13 years of age:

(a) A maximum of 8 children from birth to 24 months of age.

(b) A maximum of 12 children, with no more than 4 children under 24 months of age.

Section 14. Paragraph (a) of subsection (17) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

(17) TRANSFER OF OWNERSHIP.—

(a) One week prior to the transfer of ownership of a child care facility or family child ~~day~~ care home, the transferor shall notify the parent or caretaker of each child of the impending transfer.

Section 15. Subsections (1), (2), and (3) of section 402.309, Florida Statutes, are amended to read:

402.309 Provisional license or registration.—

(1) The local licensing agency or the department, whichever is authorized to license child care facilities in a county, may issue a provisional license for child care facilities, family child ~~day~~ care homes, or large family child care homes, or a provisional registration for family child ~~day~~ care homes to



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applicants for an initial license or registration or to
licensees or registrants seeking a renewal who are unable to
meet all the standards provided for in ss. 402.301-402.319.

(2) A provisional license or registration may not be issued
unless the operator or owner makes adequate provisions for the
health and safety of the child. A provisional license may be
issued for a child care facility if all of the screening
materials have been timely submitted. A provisional license or
registration may not be issued unless the child care facility,
family child ~~day~~ care home, or large family child care home is
in compliance with the requirements for screening of child care
personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
respectively.

(3) Notwithstanding subsection (2), a local licensing
agency or the department, whichever is authorized to license
child care facilities in a county, must issue a provisional
license or registration if the operator or owner:

(a) Is applying for an initial license or registration for
a child care facility, a family child ~~day~~ care home, or a large
family child care home;

(b) Has made adequate provisions for the health and safety
of the child; and

(c) Provides evidence that he or she has completed, within
the previous 6 months, training pursuant to United States
Department of Defense Instruction 6060.02 and background
screening by the United States Department of Defense pursuant to
34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
favorable suitability and fitness determination.

Section 16. Paragraph (d) of subsection (1) and subsection



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(4) of section 402.310, Florida Statutes, are amended to read:

402.310 Disciplinary actions; hearings upon denial, suspension, or revocation of license or registration; administrative fines.—

(1)

(d) The disciplinary sanctions ~~set forth~~ in this section apply to licensed child care facilities, licensed large family child care homes, and licensed or registered family child ~~day~~ care homes.

(4) An applicant, registrant, or licensee shall have the right to appeal a decision of the local licensing agency to a representative of the department. Any required hearing shall be held in the county in which the child care facility, family child ~~day~~ care home, or large family child care home is being operated or is to be established. The hearing shall be conducted in accordance with the provisions of chapter 120.

Section 17. Subsection (1) and paragraph (a) of subsection (2) of section 402.3115, Florida Statutes, are amended to read:

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

(1) The Department of Children and Families and local governmental agencies that license child care facilities shall develop and implement a plan to eliminate duplicative and unnecessary inspections of child care facilities, family child ~~day~~ care homes, and large family child care homes.

(2)(a) The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family child ~~day~~ care homes, and large family child care homes that meet all of the following



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conditions:

1. Have been licensed for at least 2 consecutive years.
2. Have not had a Class 1 deficiency, as defined by rule, for at least 2 consecutive years.
3. Have not had more than three of the same Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.
4. Have received at least two full onsite renewal inspections in the most recent 2 years.
5. Do not have any current uncorrected violations.
6. Do not have any open regulatory complaints or active child protective services investigations.

Section 18. Section 402.312, Florida Statutes, is amended to read:

402.312 License required; injunctive relief.—

(1) The operation of a child care facility without a license, a family child ~~day~~ care home without a license or registration, or a large family child care home without a license is prohibited. If the department or the local licensing agency discovers that a child care facility is being operated without a license, a family child ~~day~~ care home is being operated without a license or registration, or a large family child care home is being operated without a license, the department or local licensing agency is authorized to seek an injunction in the circuit court where the facility is located to enjoin continued operation of such facility, family child ~~day~~ care home, or large family child care home. When the court is closed for the transaction of judicial business, the department or local licensing agency is authorized to seek an emergency



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injunction to enjoin continued operation of such unlicensed facility, unregistered or unlicensed family child ~~day~~ care home, or unlicensed large family child care home, which injunction shall be continued, modified, or revoked on the next day of judicial business.

(2) Other grounds for seeking an injunction to close a child care facility, family child ~~day~~ care home, or a large family child care home are that:

(a) There is any violation of the standards applied under ss. 402.301-402.319 which threatens harm to any child in the child care facility, a family child ~~day~~ care home, or large family child care home.

(b) A licensee or registrant has repeatedly violated the standards provided for under ss. 402.301-402.319.

(c) A child care facility, family child ~~day~~ care home, or large family child care home continues to have children in attendance after the closing date established by the department or the local licensing agency.

(3) The department or local licensing agency may impose an administrative fine on any child care facility, family child ~~day~~ care home, or large family child care home operating without a license or registration, consistent with ~~the provisions of s.~~ 402.310.

Section 19. Subsection (3) of section 402.315, Florida Statutes, is amended to read:

402.315 Funding; license fees.—

(3) The department shall collect a fee for any license it issues for a child care facility, family child ~~day~~ care home, or large family child care home pursuant to ss. 402.305, 402.313,



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and 402.3131.

(a) For a child care facility licensed pursuant to s. 402.305, such fee shall be \$1 per child, based on the licensed capacity of the facility, except that the minimum fee shall be \$25 per facility and the maximum fee shall be \$100 per facility.

(b) For a family child ~~day~~ care home registered pursuant to s. 402.313, such fee shall be \$25.

(c) For a family child ~~day~~ care home licensed pursuant to s. 402.313, such fee shall be \$50.

(d) For a large family child care home licensed pursuant to s. 402.3131, such fee shall be \$60.

Section 20. Subsection (2) of section 402.316, Florida Statutes, is amended to read:

402.316 Exemptions.—

(2) The provisions of ss. 402.301-402.319 do not apply to a child care facility or family child ~~day~~ care home if the child care facility or family child ~~day~~ care home has a certificate issued by the United States Department of Defense or by the United States Coast Guard to provide child care and has completed background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination. If the child care facility or family child ~~day~~ care home elects to serve children ineligible for care under the United States Department of Defense Instruction 6060.02, the child care facility or family child ~~day~~ care home must be licensed under this chapter.

Section 21. Section 402.318, Florida Statutes, is amended to read:



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402.318 Advertisement.—A person, as defined in s. 1.01(3), may not advertise a child care facility, family child ~~day~~ care home, or large family child care home without including within such advertisement the state or local agency license number or registration number of such facility or home. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 22. Section 402.319, Florida Statutes, is amended to read:

402.319 Penalties.—

(1) It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for any person knowingly to:

(a) Fail, by false statement, misrepresentation, impersonation, or other fraudulent means, to disclose in any application for voluntary or paid employment or licensure regulated under ss. 402.301-402.318 all information required under those sections or a material fact used in making a determination as to such person's qualifications to be child care personnel, as defined in s. 402.302, in a child care facility, family child ~~day~~ care home, or other child care program.

(b) Operate or attempt to operate a child care facility without having procured a license as required by this act.

(c) Operate or attempt to operate a family child ~~day~~ care home without a license or without registering with the department, whichever is applicable.

(d) Operate or attempt to operate a child care facility or family child ~~day~~ care home under a license that is suspended,



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revoked, or terminated.

(e) Misrepresent, by act or omission, a child care facility or family child ~~day~~ care home to be duly licensed pursuant to this act without being so licensed.

(f) Make any other misrepresentation, by act or omission, regarding the licensure or operation of a child care facility or family child ~~day~~ care home to a parent or guardian who has a child placed in the facility or is inquiring as to placing a child in the facility, or to a representative of the licensing authority, or to a representative of a law enforcement agency, including, but not limited to, any misrepresentation as to:

1. The number of children at the child care facility or the family child ~~day~~ care home;

2. The part of the child care facility or family child ~~day~~ care home designated for child care;

3. The qualifications or credentials of child care personnel;

4. Whether a family child ~~day~~ care home or child care facility complies with the screening requirements of s. 402.305; or

5. Whether child care personnel have the training as required by s. 402.305.

(2) If any child care personnel makes any misrepresentation in violation of this section to a parent or guardian who has placed a child in the child care facility or family child ~~day~~ care home, and the parent or guardian relied upon the misrepresentation, and the child suffers great bodily harm, permanent disfigurement, permanent disability, or death as a result of an intentional act or negligence by the child care



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personnel, then the child care personnel commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Each child care facility, family child ~~day~~ care home, and large family child care home shall annually submit an affidavit of compliance with s. 39.201.

Section 23. Paragraph (c) of subsection (2) of section 409.988, Florida Statutes, is amended to read:

409.988 Community-based care lead agency duties; general provisions.—

(2) LICENSURE.—

(c) Substitute care providers who are licensed under s. 409.175 and who have contracted with a lead agency are also authorized to provide registered or licensed family child ~~day~~ care under s. 402.313 if such care is consistent with federal law and if the home has met the requirements of s. 402.313.

Section 24. Paragraph (b) of subsection (8) of section 411.203, Florida Statutes, is amended to read:

411.203 Continuum of comprehensive services.—The Department of Education and the Department of Health shall utilize the continuum of prevention and early assistance services for high-risk pregnant women and for high-risk and handicapped children and their families, as outlined in this section, as a basis for the intraagency and interagency program coordination, monitoring, and analysis required in this chapter. The continuum shall be the guide for the comprehensive statewide approach for services for high-risk pregnant women and for high-risk and handicapped children and their families, and may be expanded or reduced as necessary for the enhancement of those services.



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Expansion or reduction of the continuum shall be determined by intraagency or interagency findings and agreement, whichever is applicable. Implementation of the continuum shall be based upon applicable eligibility criteria, availability of resources, and interagency prioritization when programs impact both agencies, or upon single agency prioritization when programs impact only one agency. The continuum shall include, but not be limited to:

(8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS OF HIGH-RISK CHILDREN.—

(b) Child care and early childhood programs, including, but not limited to, licensed child care facilities, family child ~~day~~ care homes, therapeutic child care, Head Start, and preschool programs in public and private schools.

Section 25. Paragraph (a) of subsection (3) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(a) The private prekindergarten provider must be a child care facility licensed under s. 402.305, family child ~~day~~ care home licensed under s. 402.313, large family child care home licensed under s. 402.3131, nonpublic school exempt from licensure under s. 402.3025(2), faith-based child care provider exempt from licensure under s. 402.316, child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, or private prekindergarten



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provider that has been issued a provisional license under s.
402.309. A private prekindergarten provider may not deliver the
program while holding a probation-status license under s.
402.310.

Section 26. Paragraph (u) of subsection (2) of section
1002.82, Florida Statutes, is amended to read:

1002.82 Department of Education; powers and duties.—

(2) The department shall:

(u) Administer a statewide toll-free Warm-Line to provide
assistance and consultation to child care facilities and family
child day care homes regarding health, developmental,
disability, and special needs issues of the children they are
serving, particularly children with disabilities and other
special needs. The department shall:

1. Annually inform child care facilities and family child
~~day~~ care homes of the availability of this service through the
child care resource and referral network under s. 1002.92.

2. Expand or contract for the expansion of the Warm-Line to
maintain at least one Warm-Line in each early learning coalition
service area.

Section 27. Paragraph (j) of subsection (4) of section
1002.83, Florida Statutes, is amended to read:

1002.83 Early learning coalitions.—

(4) Each early learning coalition must include the
following member positions; however, in a multicounty coalition,
each ex officio member position may be filled by multiple
nonvoting members but no more than one voting member shall be
seated per member position. If an early learning coalition has
more than one member representing the same entity, only one of



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such members may serve as a voting member:

(j) A representative of private for-profit child care providers, including private for-profit family child ~~day~~ care homes.

Section 28. Subsection (4) of section 1002.84, Florida Statutes, is amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(4) Establish a regional Warm-Line as directed by the department pursuant to s. 1002.82(2)(u). Regional Warm-Line staff shall provide onsite technical assistance, when requested, to assist child care facilities and family child ~~day~~ care homes with inquiries relating to the strategies, curriculum, and environmental adaptations the child care facilities and family child ~~day~~ care homes may need as they serve children with disabilities and other special needs.

Section 29. Paragraphs (a) and (c) of subsection (1) of section 1002.88, Florida Statutes, are amended to read:

1002.88 School readiness program provider standards; eligibility to deliver the school readiness program.—

(1) To be eligible to deliver the school readiness program, a school readiness program provider must:

(a) Be a child care facility licensed under s. 402.305, a family child ~~day~~ care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child



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development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, an informal child care provider to the extent authorized in the state's Child Care and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program while holding a probation-status license under s. 402.310.

(c) Provide basic health and safety of its premises and facilities and compliance with requirements for age-appropriate immunizations of children enrolled in the school readiness program.

1. For a provider that is licensed, compliance with s. 402.305, s. 402.3131, or s. 402.313 and this subsection, as verified pursuant to s. 402.311, satisfies this requirement.

2. For a provider that is a registered family child ~~day~~ care home or is not subject to licensure or registration by the Department of Children and Families, compliance with this subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider shall annually post the health and safety checklist adopted by the department prominently on its premises in plain sight for visitors and parents and shall annually submit the checklist to its local early learning coalition.

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual



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inspections pursuant to United States Department of Defense Instructions 6060.2 and 1402.05 satisfies this requirement.

Section 30. Paragraph (c) of subsection (2) of section 1002.895, Florida Statutes, is amended to read:

1002.895 Market rate schedule.—The school readiness program market rate schedule shall be implemented as follows:

(2) The market rate schedule must differentiate rates by provider type, including, but not limited to:

(c) Family child ~~day~~ care homes licensed or registered under s. 402.313.

Section 31. Paragraph (a) of subsection (3) and subsection (4) of section 1002.92, Florida Statutes, are amended to read:

1002.92 Child care and early childhood resource and referral.—

(3) Child care resource and referral agencies shall provide the following services:

(a) Identification of existing public and private child care and early childhood education services, including child care services by public and private employers, and the development of an early learning provider performance profile of those services through the single statewide information system developed by the department under s. 1002.82(2)(q). These services may include family child ~~day~~ care, public and private child care programs, the Voluntary Prekindergarten Education Program, Head Start, the school readiness program, special education programs for prekindergarten children with disabilities, services for children with developmental disabilities, full-time and part-time programs, before-school and after-school programs, and vacation care programs. The early



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learning provider performance profile shall include, but not be limited to:

1. Type of program.
 2. Hours of service.
 3. Ages of children served.
 4. Number of children served.
 5. Program information.
 6. Fees and eligibility for services.
 7. Availability of transportation.
 8. Participation in the Child Care Food Program, if applicable.
 9. A link to licensing inspection reports, if applicable.
 10. The components of the Voluntary Prekindergarten Education Program performance metric calculated under s. 1002.68 which must consist of the program assessment composite score, learning gains score, achievement score, and its designations, if applicable.
 11. The school readiness program assessment composite score and program assessment care level composite score results delineated by infant classrooms, toddler classrooms, and preschool classrooms results under s. 1002.82, if applicable.
 12. Gold Seal Quality Care designation under s. 1002.945, if applicable.
 13. Indication of whether the provider implements a curriculum approved by the department and the name of the curriculum, if applicable.
 14. Participation in school readiness child assessment under s. 1002.82.
- (4) A child care facility licensed under s. 402.305 and



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licensed and registered family child ~~day~~ care homes must provide the statewide child care and resource and referral network with the following information annually:

- (a) Type of program.
- (b) Hours of service.
- (c) Ages of children served.
- (d) Fees and eligibility for services.

Section 32. Subsection (2) of section 1002.93, Florida Statutes, is amended to read:

1002.93 School readiness program transportation services.—

(2) The transportation servicers may only provide transportation to each child participating in the school readiness program to the extent that such transportation is necessary to provide child care opportunities that otherwise would not be available to a child whose home is more than a reasonable walking distance from the nearest child care facility or family child ~~day~~ care home.

Section 33. Paragraph (b) of subsection (1), paragraphs (a) and (c) of subsection (3), and subsection (4) of section 1002.945, Florida Statutes, are amended to read:

1002.945 Gold Seal Quality Care Program.—

(1)

(b) A child care facility, large family child care home, or family child ~~day~~ care home that is accredited by an accrediting association approved by the Department of Education under subsection (3) and meets all other requirements shall, upon application to the department, receive a separate "Gold Seal Quality Care" designation.

(3)(a) In order to be approved by the Department of



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Education for participation in the Gold Seal Quality Care Program, an accrediting association must apply to the department and demonstrate that it:

1. Is a recognized accrediting association.
2. Has accrediting standards that substantially meet or exceed the Gold Seal Quality Care standards adopted by the state board under subsection (2).
3. Is a registered corporation with the Department of State.
4. Can provide evidence that the process for accreditation has, at a minimum, all of the following components:
 - a. Clearly defined prerequisites that a child care provider must meet before beginning the accreditation process. However, accreditation may not be granted to a child care facility, large family child care home, or family child ~~day~~ care home before the site is operational and is attended by children.
 - b. Procedures for completion of a self-study and comprehensive onsite verification process for each classroom that documents compliance with accrediting standards.
 - c. A training process for accreditation verifiers to ensure inter-rater reliability.
 - d. Ongoing compliance procedures that include requiring each accredited child care facility, large family child care home, and family child ~~day~~ care home to file an annual report with the accrediting association and risk-based, onsite auditing protocols for accredited child care facilities, large family child care homes, and family child ~~day~~ care homes.
 - e. Procedures for the revocation of accreditation due to failure to maintain accrediting standards as evidenced by sub-



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subparagraph d. or any other relevant information received by the accrediting association.

f. Accreditation renewal procedures that include an onsite verification occurring at least every 5 years.

g. A process for verifying continued accreditation compliance in the event of a transfer of ownership of facilities.

h. A process to communicate issues that arise during the accreditation period with governmental entities that have a vested interest in the Gold Seal Quality Care Program, including the Department of Education, the Department of Children and Families, the Department of Health, local licensing entities if applicable, and the early learning coalition.

(c) If an accrediting association has granted accreditation to a child care facility, large family child care home, or family child ~~day~~ care under fraudulent terms or failed to conduct onsite verifications, the accrediting association shall be liable for the repayment of any rate differentials paid under subsection (6).

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family child ~~day~~ care home must meet the following additional criteria:

(a) The child care provider must not have had any class I violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of a class I violation shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the



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provider has no class I violations for a period of 2 years.

(b) The child care provider must not have had three or more of the same class II violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of three or more of the same class II violations within a 2-year period shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class II violations that are the same for a period of 1 year.

(c) The child care provider must not have been cited for the same class III violation, as defined by rule of the Department of Children and Families, three or more times and failed to correct the violation within 1 year after the date of each citation, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of the same class III violation three or more times and failure to correct within the required time during a 2-year period may be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class III violations for a period of 1 year.

(d) Notwithstanding paragraph (a), if the Department of Education determines through a formal process that a provider has been in business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board's determination regarding such provider's status is final.

Section 34. This act shall take effect July 1, 2026.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to child care and early learning
services; amending s. 402.306, F.S.; revising the
information on child care required to be disseminated
electronically to the community; amending ss. 402.313
and 402.3131, F.S.; deleting the requirement that
family child care homes and large family child care
homes, respectively, provide specified information to
parents each year; conforming provisions to changes
made by the act; amending s. 402.316, F.S.; requiring
that certain child care facilities exempt from
licensure requirements meet certain minimum
requirements; providing that failure to meet such
minimum requirements results in the loss of the
exemption from licensure; requiring child care
facilities exempt from licensure requirements to
include a specified statement on its website and in
its promotional materials and facility-created
documents and forms provided to families served by the
child care facility; amending s. 627.70161, F.S.;
changing the term "family day care home" to "family
child care home"; providing legislative findings and
intent relating to large family child care homes;
defining the term "large family child care home";



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1345 prohibiting residential property insurance policies
1346 from providing coverage for liability for claims
1347 arising out of, or in connection with, the operations
1348 of large family child care homes; providing that
1349 insurers are under no obligation to defend against
1350 lawsuits covering such claims; providing exceptions;
1351 prohibiting insurers from denying, cancelling, or
1352 refusing to renew a policy for residential property
1353 insurance on the basis that the policyholders or
1354 applicants operate large family child care homes;
1355 providing exceptions; reenacting and amending s.
1356 1001.24, F.S.; revising the definition of the term
1357 "Department of Education direct-support organization";
1358 creating s. 1002.80, F.S.; providing a short title;
1359 defining terms; providing legislative intent;
1360 establishing the Florida Endowment for Early Learning
1361 Foundation within a Department of Education direct-
1362 support organization for a specified purpose;
1363 requiring that the endowment fund principal derive
1364 from specified sources; requiring the board of
1365 directors to establish and deposit money into the
1366 operating account; requiring such money to be used for
1367 a specified purpose; requiring that funds from state
1368 sources be accounted for separately from public and
1369 private sources; specifying powers and duties of the
1370 board of directors; requiring the board to use the
1371 moneys in the operating account for specified
1372 purposes; providing for early learning provider
1373 selection, copay pricing, reimbursement, and



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1374 administrative requirements; prohibiting state funds
1375 from being spent in certain donors or supporters;
1376 requiring the Division of Early Learning to include
1377 specified information in its annual report of its
1378 activities; requiring the Department of Education to
1379 adopt rules; amending s. 1002.95, F.S.; requiring the
1380 administrator of the Teacher Education and
1381 Compensation Helps Scholarship Program, subject to an
1382 appropriation, to establish and administer the Center
1383 for Early Childhood Professional Recognition for a
1384 specified purpose; amending ss. 39.202, 125.0109,
1385 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310,
1386 402.3115, 402.312, 402.315, 402.316, 402.318, 402.319,
1387 409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84,
1388 1002.88, 1002.895, 1002.92, 1002.93, and 1002.945,
1389 F.S.; conforming provisions to changes made by the
1390 act; providing an effective date.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 1690

INTRODUCER: Senator Calatayud

SUBJECT: Early Childhood Education

DATE: February 2, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fiore	Tuszynski	CF	Pre-meeting
2.			ED	
3.			AP	

I. Summary:

SB 1690 makes several statutory changes relating to early childhood education and child care regulation, and directs initiatives to enhance workforce support for working families.

In child care regulation, the bill:

- Exempts certain before-and after-school programs administered by public schools and nonpublic schools from licensure as a child care facility.
- Revises certain child care licensure standards and removes the requirement for child care homes to provide parents with information related to flu shots and leaving children in a vehicle unattended.
- Prohibits the cancelation, denial, or nonrenewal of residential property insurance solely on the basis that certain child care services are provided at the residence.

In early childhood education, the bill:

- Authorizes the Florida Education Foundation, Inc., to raise and manage funds and property, and to conduct programs for the benefit of early learning programs and certain child care providers.
- Expands the role of the TEACH Scholarship Program administrator to ensure statewide alignment of training, trainer approval, and competency-based assessments for early learning professionals.

The bill also directs the Department of Education, the Florida Lottery, and CareerSource Florida, Inc., to jointly examine the creation of a child care and early learning voucher program for children from families employed in high-demand occupations.

The bill has no anticipated fiscal impact.

The bill has an effective date of July 1, 2026.

II. Present Situation:

Child Care Regulation

Florida regulates child care facilities, family day care homes, and large family child care homes under Chapter 402, F.S., which establishes licensure requirements, minimum standards, and enforcement authority for the Department of Children and Families (DCF). “Child care” is the care, protection and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.¹ If a program meets the statutory definition of child care, it is subject to regulation by the Department of Children and Families (DCF) or a local licensing agency, unless statute specifically excludes or exempts it from regulation.²

The child care licensing program is administered by the DCF and is accountable for the statewide licensure of Florida's child care facilities,³ large family child care homes,⁴ and the licensure or registration of family day care homes.⁵ Licensing standards for child care facilities must address personnel qualifications, health and safety requirements, sanitation, emergency preparedness, and training, including cardiopulmonary resuscitation requirements.⁶ Current law requires child care facilities to have at least one staff person trained in person in cardiopulmonary resuscitation present at all times that children are present.⁷

Family day care homes must be licensed if the home is currently licensed under an existing county licensing ordinance or if the board of county commissioners passes a resolution that family day care homes be licensed. If not subject to licensure, a family day care home must register with the DCF.⁸

Child Care Personnel

“Child care personnel” includes owners, operators, employees, and certain household members or residents who have direct contact with children and are subject to background screening and training requirements.⁹ For purposes of background screening, child care personnel also includes individuals who work in child care programs that provide care for children 15 hours or more each week in public or nonpublic schools, family day care homes, and certain exempt membership organizations and programs. However, child care personnel does not include public or nonpublic school personnel providing care during regular school hours, or after hours for

¹ Section 402.302(1), F.S.

² Sections 402.301-402.319, F.S.

³ Section 402.305, F.S.

⁴ Section 402.3131, F.S.

⁵ Section 402.313, F.S.

⁶ Section 402.305, F.S.

⁷ Section 402.305(7), F.S.

⁸ *Id.*

⁹ Section 402.302(3), F.S.

activities related to a school's program for grades kindergarten through 12.¹⁰ Personnel screening is conducted pursuant to Level 2 background screening requirements under Chapter 435, F.S.,¹¹ and includes:

- FDLE criminal history background check;
- FBI criminal history background check;
- Criminal background check of any prior states resided within the past five years;
- Sex Offender Registry check (in Florida and any prior states resided within past five years);
- Child Abuse & Neglect check (in Florida and any prior states resided within past five years);
- Attestation of Good Moral Character; and
- Previous five-year employment history check.¹²

Child Care Providers

Child Care Facilities and School-Based Programs

A "child care facility" is generally defined as any arrangement providing care for more than five unrelated children for compensation, subject to specified exemptions, including certain school-based programs and camps.¹³ Public schools and nonpublic schools and their integral programs, are exempt from the definition of child care facility, except as provided in s. 402.3025, F.S.¹⁴ An integral program is a program that is directly connected to the school's schedule and activities to provide care for children outside of regular instructional hours, such as a before or after-school program for school-aged children, and therefore, is not considered child care for purposes of licensure. The following public school and nonpublic school programs are exempt from child care licensure.¹⁵

Public Schools:

- Programs for children in five-year-old kindergarten and grades one or above;
- Programs for children who are at least three years of age, but are under five years of age, if the programs are operated and staffed directly by the school and meet the age-appropriate standards adopted by the State Board of Education; and
- Programs for children under three years of age who are eligible for participation in the programs that provide early intervention and special education services for children with developmental disabilities, if the programs are operated and staffed directly by the school and meet the age-appropriate standards adopted by the State Board of Education.

Nonpublic Schools:

- Programs for children in five-year-old kindergarten and grades one or above;
- Programs for children who are at least three years of age, but under five years of age, if the programs are operated and staffed directly by the school, the majority of the children enrolled

¹⁰ *Id.*

¹¹ Section 402.305(2), F.S.

¹² Sections 402.302(15), and 435.04, F.S.

¹³ Section 402.302(2), F.S.

¹⁴ Section 402.302(2)(a), F.S.

¹⁵ Section 402.3025, F.S.

in the schools are five years of age or older, and the programs comply with the background screening requirements for child care personnel.¹⁶

Public school programs for children who are under age five that are not operated and staffed directly by the school and programs for children three years of age and under who are not eligible to participate in programs that provide early intervention and special education services are not exempt from licensure as a child care facility.¹⁷ Nonpublic school programs for children who are under three years of age are deemed child care and are also not exempt from licensure as a child care facility.

A school-age child care program is a child care facility that serves only school-age children in a before- and after-school program or an out-of-school time program.¹⁸ A school-age child is a child who is at least five years of age by September 1st of the beginning of the school year and who attends grades kindergarten or above.¹⁹ A school-age child care program must be licensed as a child care provider unless the program demonstrates that it is exempt from licensure.²⁰ There are five types of school-age child care programs that are exempt from licensure. A school-age child care program is exempt if the program complies with the child care background screening requirements²¹ and meets the following conditions:²²

- **Programs on School Sites:** The program is located on a public or nonpublic school site; and
 - Is operated and staffed directly by that school or through a formal agreement, such as a contract, between the school (or school district, when the latter reserves authority for such agreements) and a provider which names the school/school district as the responsible party for the operation of the program;
 - Serves only the school-age children attending the school during the school day. The program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's academic calendar year; and
 - Follows the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities pursuant to s. 402.305(5), F.S., programs operated in public school facilities, regardless of the operator.
- **Instructional or Tutorial Programs:** The program is not designated as a Gold Seal Quality Care provider and has a single instructional or tutorial purpose (i.e., tutoring; a computer class; a ballet class; a karate class; baseball instruction or other sport, etc.) and does not provide services beyond the instructional and tutorial purpose of the program activity; and
 - Does not cater, serve or prepare meals other than drinks and ready-to-eat snacks that are individually pre-packaged and do not require refrigeration;

¹⁶ Section 402.3025(2)(c), F.S.

¹⁷ Section 402.3025(1)(b), F.S.

¹⁸ Florida Department of Children and Families, *School-Age Child Care Facility Handbook, October 2021*, available at <https://www.myflfamilies.com/sites/default/files/2025-07/School-Age%20Child%20Care%20Facility%20Handbook%20%28October%202021%29.pdf>, (last visited January 29, 2026).

¹⁹ *Id.*

²⁰ Rule 65C-22.008, F.A.C.

²¹ Sections 402.305 and 402.3055, F.S.; and 65C-22.008(4), F.A.C.

²² Rule 65C-22.008(3), F.A.C.

- Does not advertise or otherwise represent that the program has attributes of child care;
 - Enrollment information clearly defines duration of instructional sessions;
 - Does not contract to deliver a school readiness program pursuant to s. 1002.88, F.S.; and
 - Does not provide transportation directly or through a contract or agreement with an outside entity, during the hours of operation for the purposes of field trips.
- **Open Access Programs:** The program is not designated as a Gold Seal Quality Care provider and:
 - Operates and serves children for less than four hours per day. However, the program may provide services during any out-of-school time, including before school, after school, on teacher planning days, holidays, and intercessions that occur during the school district's official academic calendar year;
 - Does not advertise or otherwise represent that the program is an afterschool child care program or that the program offers supervision;
 - Allows children to enter and leave the program at any time without permission, prior arrangements, or supervision, and the program does not assume responsibility for supervision;
 - Does not provide transportation, directly or through a contract or agreement with an outside entity, during the hours of operation for the purposes of field trips;
 - Does not serve or prepare any meals or snacks other than drinks and ready-to-eat snacks that are individually pre-packaged and do not require refrigeration; and
 - Does not contract to deliver a school readiness program.
 - **Programs Operated or Affiliated with Certain Membership Organizations:** Any program that is not designated as a Gold Seal Quality Care provider and is providing care for school aged children that is operated by, or in affiliation with a national membership non-profit or not for profit organization that: certifies membership organizations, in at least ten states; was created for the purpose of providing activities that contribute to the development of good character or good sportsmanship or to the education or cultural development of minors in this state; charges a membership fee for children and/or receives grant funding for services; and is certified by the national association as complying with the association's purposes, procedures, minimum standards and mandatory requirements for all of its before school, after school or out-of-school time programs.
 - **Programs Providing Child Care Exclusively for Children in Grades Six and Above:** Programs that are not designated as a Gold Seal Quality Care provider and provide child care exclusively for children in grades six and above are exempt from child care licensure.

School-age child care providers that are exempt under the school sites, open access, and membership organizations program exemptions may choose to become licensed if the provider agrees to meet all of the school-age child care standards.²³

²³ 65C-22.008(5), F.A.C.; see also Florida Department of Children and Families, *School-Age Child Care Facility Handbook*, October 2021, available at <https://www.myflfamilies.com/sites/default/files/2025-07/School-Age%20Child%20Care%20Facility%20Handbook%20%28October%202021%29.pdf>, (last visited January 29, 2026).

Family Day Care Homes and Large Family Child Care Homes

A “family day care home” is an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receive payments, fees, or grants for the children receiving care, whether or not operated for profit.²⁴ Florida law establishes tiered capacity limits for family day care homes based on the number and ages of children in care.²⁵

- Up to four children from birth to 12 months of age;
- Up to three children from birth to 12 months of age, plus additional children, for a maximum total of six children;
- Up to six preschool children, provided all children are older than 12 months of age; or
- Up to 10 children, provided that no more than five are preschool age and, of those five preschool children, no more than two are under 12 months of age.

These limits apply to the total number of children present, including the operator’s own children under 13 years of age who are on the premises during operating hours.²⁶ Unlike large family child care homes, family day care homes do not require two full-time child care personnel to always be present.

A “large family child care home” is a residential child care setting that serves more children than a standard family day care home and is subject to enhanced licensure requirements.²⁷ To qualify as a large family child care home, the residence must have at least two full-time child care personnel present during operating hours, one of whom must be the owner or occupant of the residence.²⁸ The operator must first have operated as a *licensed* family day care home for two years, with an operator who holds a child development associate credential or its equivalent for 1 year.²⁹ Including the operator’s own children under 13 years of age who are on the premises during operating hours, large family child care homes may care for up to eight children from birth to 24 months of age or up to 12 children total, provided no more than four children are under 24 months of age.³⁰

Current law requires family day care homes and large family child care homes to provide parents with educational materials regarding influenza immunization and the risks associated with leaving children unattended in vehicles.³¹

Insurance Coverage for Child Care Operations

While the Legislature has recognized the importance of family child care homes in meeting child care needs, it has also acknowledged that child care operations increase liability exposure for insurers.³² As a result, Florida law provides that coverage for liability arising from child care operations are generally excluded from residential property insurance policies unless such

²⁴ Sections 402.302(8) and 402.313, F.S.

²⁵ Sections 402.302(8), F.S.

²⁶ *Id.*

²⁷ Sections 402.302(11) and 402.3131, F.S.

²⁸ Section 402.302(11), F.S.

²⁹ *Id.*

³⁰ *Id.*

³¹ Section 402.3131(9)-(10), F.S.

³² Section 627.70161(1), F.S.

coverage is specifically included by endorsement.³³ Insurers are prohibited from denying, canceling, or refusing to renew a policy solely because a policyholder operates a family child day care home, subject to statutory exceptions.³⁴ Under current law, the insurance protections for family day care homes do not extend to large family day care homes.

Early Learning Programs and Workforce Support

Direct-Support Organizations

A direct-support organization (DSO) is a non-profit corporation that supports a public entity, such as a university, school district, or state agency, by raising and managing funds, managing property, and conducting programs consistent with the public entity's mission. The Florida Education Foundation is a DSO of the Department of Education organized exclusively to receive, hold, invest, and administer property and make expenditures to or for the benefit of public pre-kindergarten through grade 12 education in Florida.³⁵

Early Learning Programs

Florida also operates early learning and child care assistance programs, such as the School Readiness Program³⁶ and the Voluntary Prekindergarten (VPK) Education Program.³⁷ Florida's VPK Program is a free, state-funded educational program designed to prepare four-year-olds for kindergarten and beyond. Each child who resides in Florida who will have attained the age of four years old on or before September 1 of the school year is eligible for the VPK Program during either that school year or the following school year.³⁸ Parents can choose to enroll their child in VPK Programs provided by private child care centers or public schools and school-year or summer programs.³⁹ Florida's School Readiness Program provides subsidies for child care services and early childhood education for children from low-income families; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.⁴⁰

Teacher Education and Compensation Helps Scholarship Program

The Teacher Education and Compensation Helps (TEACH) Scholarship Program provides educational scholarships to early learning personnel to improve workforce qualifications and retention.⁴¹ The scholarship is available to Florida-resident teachers, directors, and family child

³³ Section 627.70161(3), F.S.

³⁴ Section 627.70161(4), F.S.

³⁵ Section 1001.24(1)(a)2., F.S.; and Florida Education Foundation, Inc., *Financial Statements June 30, 2024 and 2023*, at pg. 10, https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2024%20florida%20education%20foundation.pdf (last visited January 29, 2026).

³⁶ Sections 1002.81-1002.995, F.S.

³⁷ Sections 1002.51-1002.79, F.S.

³⁸ Section 1002.53(2), F.S.; see also Florida Department of Education, *What is Florida's Voluntary Prekindergarten Education Program (VPK)?*, available at <https://www.fldoe.org/schools/early-learning/parents/vpk-parents.stml> (last visited January 29, 2026).

³⁹ *Id.*

⁴⁰ Sections 1002.81 and 1002.87, F.S.

⁴¹ Section 1002.95, F.S.

care educators who meet specified education, employment, work-hour, and employer sponsorship requirements in licensed or exempt early learning or after-school settings.⁴²

The program covers tuition and books, provides stipends and completion bonuses, offers counseling and administrative support, and reimburses employers for paid release time provided to participating scholars.⁴³

Early Learning Professional Learning Standards and Career Pathways

In 2019, the Legislature directed the Department of Education to develop statewide early learning training standards and identify career pathways with stackable, competency-based credentials for school readiness and early learning professionals.⁴⁴ These credentials should align with established professional standards, improve instructional practice, and support better child outcomes, including kindergarten readiness. The Department of Education is also authorized to provide incentives to qualified early learning and prekindergarten personnel who hold specified reading or literacy credentials, with alignment to K–12 training standards adopted by the State Board of Education.

III. Effect of Proposed Changes:

Section 1 amends s. 402.302, F.S., to revise the definitions of “child care facility” and “child care personnel” and create a new definition for “school-age children.”

The revised definition of “child care facility,” excludes before- and after-school programs and any programs during off-school hours that are offered and operated by public elementary schools at school sites for the school’s student populations.

The revised definition of “child care personnel,” expands the exclusion of public and nonpublic school personnel to incorporate those who provide care, during regular school hours or after hours, for students attending *any* public or nonpublic school program, not just grades K-12. This means that school personnel operating the school’s regular- or after-hours child care programs will not be subject to the screening requirements of Chapter 402, F.S.

The new definition of “school-age children” includes children in kindergarten through grade 12, certain three-year-olds enrolled in public school exceptional student education programs, and four-year-olds in public school child care programs. This definition encompasses a younger age group than what is currently allowed to cover those children who may be attending public schools.

Section 2 amends s. 402.305, F.S., to limit the minimum standards established for child care facilities to require only *one* staff person, trained in person, in cardiopulmonary resuscitation

⁴² Florida Head Start Organization, *T.E.A.C.H. Early Childhood Scholarship Program, Scholarship Models*, available at <https://www.flheadstart.org/assets/docs/TEACH/TEACH%20model%20brochure%20-final%2011-27.pdf>, (last visited January 29, 2026).

⁴³ *Id.*

⁴⁴ Section 1002.995, F.S.

present at all times that children are present. Current law requires *at least one* staff person. A child care facility may have more trained staff as it deems necessary and appropriate.

Section 3 amends s. 402.3131, F.S., to delete statutory provisions requiring large family child care homes to provide parents with informational materials every August and September regarding influenza immunization and every April and September regarding the risks of leaving children unattended in vehicles.

Section 4 amends s. 627.70161, F.S., to define “large family child care home” to mean an occupied residence in which child care is regularly provided for children from at least two unrelated families for payment and has at least two full-time child care personnel, one of which must be the owner or occupant of the residence. The definition requires that a large family child care home to have first operated as a licensed family child care home for at least 2 years, by a credentialed operator holding that credential for at least 1 year. The definition requires any children under 13 years of age on the premises or on a field trip with children enrolled in child care to be included in the overall capacity of the licensed home and limits the number of children under 13 years of age a large family child care home may provide care to:

- 8 children from birth to 24 months of age.
- 12 children maximum, with no more than 4 children under 24 months of age.

The bill adds large family child care homes to the current statutory prohibition on residential property insurance policies from providing liability coverage for claims arising from the operation of these child care homes unless such coverage is specifically covered in a policy or expressly included by rider or endorsement for business coverage attached to a policy. The section also adds large family child care homes to the section of law that provides that insurers are not obligated to defend such claims absent coverage and prohibits insurers from denying, canceling, or refusing to renew residential property insurance policies solely because the insured operates a family or large family child care home, subject to enumerated exceptions.

The section amends “family *day care* home” to “family *child care* home” throughout s. 627.70161, F.S. However, the operating term for these types of child care facilities throughout Florida Statutes is “family day care home” as defined in s. 402.302, F.S.

Section 5 amends s. 1001.24, F.S., to add VPK and school readiness early learning programs under parts V and VI of Chapter 1002, F.S. to the definition of the Department of Education direct-support organization. This will authorize the DSO to receive, hold, invest, and administer property and to make expenditures to or for the benefit of these programs in addition to the already authorized programs.

Section 6 amends s. 1002.95, F.S., to provide that, subject to an appropriation, the administrator of the TEACH Scholarship Program shall administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments. There is currently no such professional recognition entity for early childhood professionals designated or recognized in statute.

Section 7 amends s. 39.101, F.S., to make a conforming cross-reference change relating to the use of information received by the central abuse hotline.

Section 8 requires the Department of Education, the Florida Lottery, and CareerSource Florida, Inc., to jointly examine the creation of a child care and early learning voucher program for children from families employed in high-demand occupations. The program must provide vouchers for child care for children ages 0-4 whose parents or grandparents are employed in occupations listed on the Demand Occupations List published by the Department of Commerce.⁴⁵

A report with findings and legislative recommendations must be submitted to the Governor and Legislature by January 1, 2027. The report must provide an inventory of existing programs that provide child care for children who are from working families; evaluate whether the voucher should be provided in addition to existing programs or when a child is no longer eligible for existing programs; provide recommendations as to eligibility criteria and duration, administrative procedures, sources of funding based on program cost, and any other recommendations that support working families.

Section 9 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁴⁵ Florida Commerce, *Local Targeted Occupations List*, <https://www.floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/local-targeted-occupations-list>.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

Section 4 of the bill amends “family day care home” to “family child care home” throughout s. 627.70161, F.S., making it inconsistent with the operating term for this type of child care facility as defined in s. 402.302, F.S., and used throughout Florida Statutes.

Section 6 of the bill provides that the administrator of the TEACH Scholarship Program under s. 1002.95, F.S., shall administer the *Center for Early Childhood Professional Recognition* to ensure statewide alignment of training, trainer approval, and competency-based assessments; however, no such entity is currently established in statute.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 402.302, 402.305, 402.3131, 627.70161, 1001.24, 1002.95, 39.101

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Rodriguez

40-00983-26

2026996__

A bill to be entitled

An act relating to dependent children; amending s. 39.4085, F.S.; requiring the Department of Children and Families and each community-based care lead agency to coordinate with certain organizations and meet at least quarterly for a specified purpose; authorizing such meetings to be in person or via teleconference or other electronic means; requiring such meetings to have a formal agenda; requiring the department and each community-based care lead agency to make certain information available on their respective websites; requiring, beginning in a specified year, the department and each community-based care lead agency to publish on their respective websites a biannual report containing specified information; amending s. 409.145, F.S.; providing legislative findings; requiring a caregiver to provide a weekly cash allowance to each child in his or her care beginning when the child attains a certain age; prohibiting a caregiver from withholding a child's allowance as punishment; providing that a child may not be required to use his or her allowance for certain items; providing the amount of such weekly allowance; encouraging caregivers to offer certain opportunities and help to children in their care; authorizing the department to adopt rules; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

40-00983-26

2026996__

Section 1. Subsection (6) is added to section 39.4085, Florida Statutes, to read:

39.4085 Goals for dependent children; responsibilities; education; Office of the Children's Ombudsman.—

(6) (a) The department shall coordinate with organizations that are focused on empowering children with lived experience for the purpose of addressing challenges and opportunities for children in the child welfare system. The department and such organizations must meet at least quarterly in person or via teleconference or other electronic means to solicit input on ways to address such challenges and opportunities. Each meeting must have a formal agenda, and such agenda and the minutes from each meeting must be made available on the department's website.

(b) Each community-based care lead agency shall coordinate with organizations that are focused on empowering children with lived experience for the purpose of addressing challenges and opportunities for children in the child welfare system. The community-based care lead agency and such organizations must meet at least quarterly in person or via teleconference or other electronic means to solicit input on ways to address such challenges and opportunities. Each meeting must have a formal agenda, and such agenda and the minutes from each meeting must be made available on the community-based care lead agency's website.

(c) By February 1 and August 1 of each year, beginning in 2027, the department and each community-based care lead agency must make publicly accessible on their respective websites a report that outlines how the department and the community-based

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care lead agencies have implemented the suggestions received
from organizations in the meetings required under paragraphs (a)
and (b).

Section 2. Present subsection (5) of section 409.145,
Florida Statutes, is redesignated as subsection (6), a new
subsection (5) is added to that section, and paragraph (b) of
subsection (2) is amended, to read:

409.145 Care of children; "reasonable and prudent parent"
standard.—The child welfare system of the department shall
operate as a coordinated community-based system of care which
empowers all caregivers for children in foster care to provide
quality parenting, including approving or disapproving a child's
participation in activities based on the caregiver's assessment
using the "reasonable and prudent parent" standard.

(2) REASONABLE AND PRUDENT PARENT STANDARD.—

(b) *Application of standard of care.*—

1. Every child who comes into out-of-home care pursuant to
this chapter is entitled to participate in age-appropriate
extracurricular, enrichment, and social activities and to
receive a weekly cash allowance for personal use in accordance
with subsection (5).

2. Each caregiver shall use the reasonable and prudent
parent standard in determining whether to give permission for a
child living in out-of-home care to participate in
extracurricular, enrichment, or social activities. When using
the reasonable and prudent parent standard, the caregiver must
consider:

a. The child's age, maturity, and developmental level to
maintain the overall health and safety of the child.

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b. The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity.

c. The best interest of the child, based on information known by the caregiver.

d. The importance of encouraging the child's emotional and developmental growth.

e. The importance of providing the child with the most family-like living experience possible.

f. The behavioral history of the child and the child's ability to safely participate in the proposed activity.

(5) CASH ALLOWANCE.—

(a) The Legislature finds that receiving a cash allowance is a critical aspect of normalcy for a child. A cash allowance teaches a child the value and use of money and promotes independence, responsibility, and decisionmaking.

(b) A caregiver must provide each child in his or her care, beginning when the child attains 6 years of age, a weekly cash allowance that is not tied to the child's behavior or the completion of the child's chores. A caregiver may not withhold the child's allowance as a form of punishment. A child may not be required to use his or her allowance to purchase personal hygiene items, school supplies, clothing, or other necessities that are the responsibility of the child's caregiver. The minimum allowance is as follows:

1. For children ages 6 to 12 years, \$1 for each year of age per week.

2. For children ages 13 to 17 years, \$20 per week.

(c) In addition to providing the allowance required under paragraph (b), a caregiver is encouraged to do all of the

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117 following:

118 1. Offer the opportunity to earn money through chores to a
119 child placed in his or her care.

120 2. Help a child placed in his or her care to obtain
121 employment, if the child wants to be employed.

122 (d) The department may adopt rules to implement this
123 subsection.

124 Section 3. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 996

INTRODUCER: Senator Rodriguez

SUBJECT: Dependent Children

DATE: February 2, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Pre-meeting
2.			AHS	
3.			FP	

I. Summary:

SB 996 aims to emphasize the importance of learning from individuals with lived experience and increasing normalcy in foster care through teaching foster children the importance and value of money.

The bill requires the Department of Children and Families (DCF) and each Community-based care (CBC) lead agency to coordinate with organizations that are focused on empowering children with lived experience in the child welfare system. The bill requires the DCF and CBC lead agencies to regularly meet with such organizations and publish the implementation of suggestions received from such regular meetings.

The bill codifies the current requirement for caregivers of children in the child welfare system to provide each child over the age of six in his or her care with a weekly cash allowance, based on the child's age. The allowance must not be tied to the child's behavior, withheld as punishment, or used to purchase necessities the caregiver has a responsibility to purchase. The bill encourages caregivers to earn additional money through chores and support children that wish to obtain employment.

The bill includes the provision of a weekly cash allowance in the application of the reasonable and prudent parenting standard of care. The bill gives rulemaking authority to the DCF.

The DCF estimates a significant, negative, fiscal impact to the state, due to the provision of a weekly allowance to children in out-of-home care that is required in the bill.

The bill provides an effective date of July 1, 2026.

II. Present Situation:

Florida's Child Welfare System – Generally

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected.¹ Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations.² The Department of Children and Families (DCF) and community-based care (CBC) lead agencies³ work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.⁴

Child welfare services are directed toward the prevention of child abuse, abandonment, and neglect.⁵ The DCF aims to increase the safety of the child within his or her home, using in-home services, such as parenting coaching and counseling to maintain and strengthen the child's natural supports in the home environment.⁶ These services are coordinated by DCF-contracted CBCs. Ultimately, the DCF remains responsible for the operation of the central abuse hotline and investigations of abuse, abandonment, and neglect.⁷ Additionally, the department is responsible for all program oversight and the overall performance of the child welfare system.⁸

Department of Children and Families

The DCF's statutory mission is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.⁹ The DCF implements a practice model for child and family well-being that is safety-focused, trauma-informed, and family-centered. Such practices are intended to ensure:

- Permanency. Florida's children should enjoy long-term, secure relationships within strong families and communities.
- Child Well-Being. Florida's children should be physically and emotionally healthy and socially competent.
- Safety. Florida's children should live free from maltreatment.

¹ Chapter 39, F.S.

² See generally s. 39.101, F.S. (establishing the central abuse hotline and timeframes for initiating investigations).

³ See s. 409.986(1)(a), F.S. (finding that it is the intent of the Legislature that the Department of Children and Families "provide child protection and child welfare services to children through contracting with CBC lead agencies"). A "community-based care lead agency" or "lead agency" means a single entity with which the DCF has a contract for the provision of care for children in the child protection and child welfare system, in a community that is no smaller than a county and no larger than two contiguous judicial circuits. Section 409.986(3)(d), F.S. The secretary of DCF may authorize more than one eligible lead agency within a single county if doing so will result in more effective delivery of services to children. *Id.*

⁴ Chapter 39, F.S.

⁵ Section 39.001, F.S.

⁶ See generally The Department of Children and Families, *Florida's Child Welfare Practice Model*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/floridas-child-welfare-practice-model> (last visited 1/16/26).

⁷ Section 39.101, F.S.

⁸ *Id.*

⁹ Section 20.19(1)(a), F.S.

- *Family Well-Being.* Florida's families should nurture, protect, and meet the needs of their children, and should be well integrated into their communities.¹⁰

The DCF is statutorily required to deliver services by contract through private providers to the extent allowed by law and funding.¹¹ These private providers include community-based care lead agencies that deliver child welfare services.¹²

Community-Based Care System

The DCF, through CBCs, administer a system of care to children and families that must focus on the following:¹³

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had their children removed from their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency, including providing adoption and postadoption services; and
- Transition to independence and self-sufficiency.

The CBCs are required to give priority to services that are evidence-based and trauma informed.¹⁴ Further, by outsourcing the provision of child welfare services, local communities have the freedom to implement programs that would best serve the individualized needs of their communities. There are 16 lead agencies statewide that serve the states 20 judicial circuits, as follows:¹⁵

¹⁰ See generally Department of Children and Families (DCF), *Florida's Child Welfare Practice Model*, available at: https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPracticeModel_0.pdf (last visited 1/16/26).

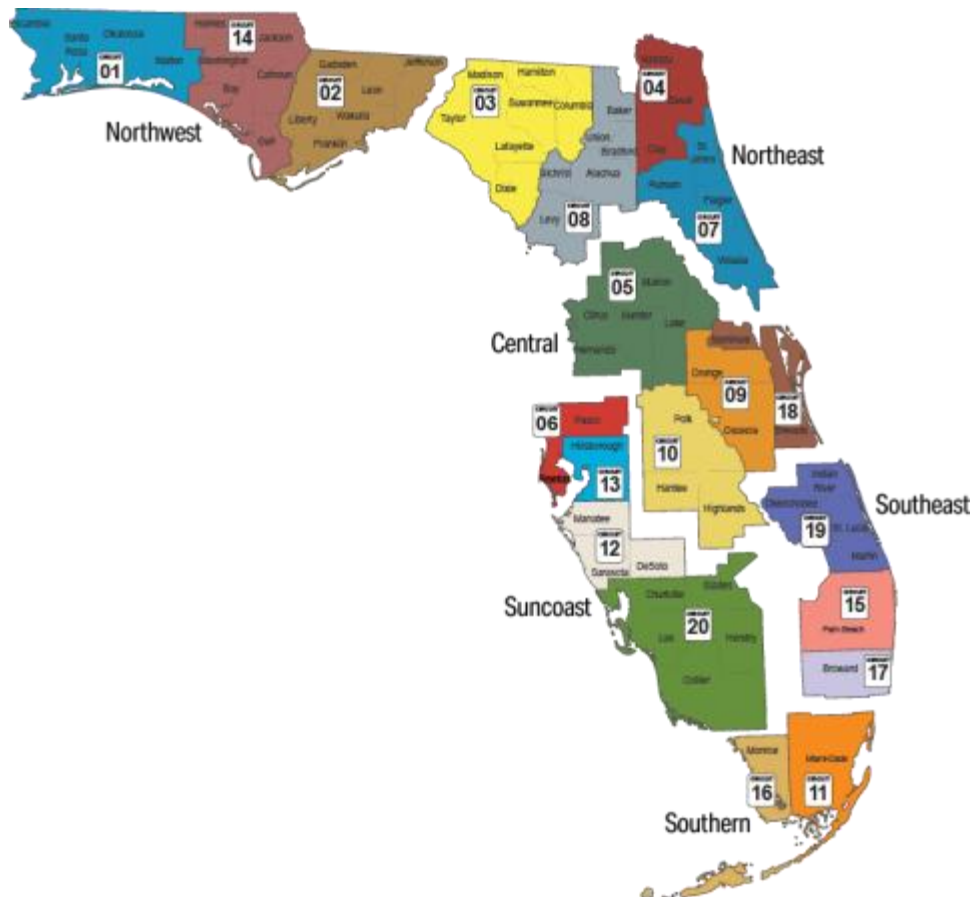
¹¹ Section 20.19(1)(c), F.S.

¹² Part V of ch. 409, F.S. and s. 409.986(1)(a), F.S.

¹³ Section 409.145 (1), F.S.

¹⁴ Section 409.988(3), F.S.

¹⁵ Department of Children and Families, *Lead Agency Information*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited 1/16/26).



Each lead agency contracts with many subcontractors for case management and direct-care services for children and their families.¹⁶

Dependency System Process

In some instances, services may not be enough to maintain a safe environment for a child to live in. When child welfare necessitates that the DCF remove a child from the home to ensure his or her safety, a series of dependency court proceedings must occur to place the child in an out-of-home placement, adjudicate the child dependent, and if necessary, terminate parental rights and free the child for adoption. This process is typically triggered by a report to the central abuse hotline and a child protective investigation that determines the child should not remain in his or her home, notwithstanding services DCF provides. Generally, the dependency process includes, but is not limited to:

- A report to the central abuse hotline.
- A child protective investigation to determine the safety of the child.
- A court finding that the child is dependent.¹⁷

¹⁶ Department of Children and Families, *About Community-Based Care (CBC)*, available at: <https://www.myflfamilies.com/services/child-and-family-well-being/community-based-care/about> (last visited 1/16/26).

¹⁷ A “child who is found to be dependent” refers to a child who is found by the court: to have been abandoned, abused, or neglected by the child’s parents or legal custodians; to have been surrendered to the DCF or licensed child-placing agency for the purpose of adoption; to have parents or legal custodians that failed to substantially comply with the requirements of a case plan for the purpose of reunification; to have been voluntarily placed with a licensed child-placing agency for the purposes of

- Case planning to address the problems that resulted in the child’s dependency.
- Reunification with the child’s parent or another option, such as adoption, to establish permanency.¹⁸

A child is found to be dependent if he or she is found by the court to be:¹⁹

- Abandoned, abused, or neglected by a parent or legal custodian;
- Surrendered to the DCF or a licensed child-placing agency for purpose of adoption;
- Voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, an adult relative, the DCF, or the former Department of Health and Rehabilitative Services, after which placement, under the requirements of Ch. 39, F.S., a case plan has expired and the parent or parents or legal custodians have failed to substantially comply with the requirements of the plan;
- Voluntarily placed with a licensed child-placing agency for the purposes of subsequent adoption, and a parent or parents have signed a consent pursuant to the Florida Rules of Juvenile Procedure;
- Have no parent or legal custodian capable of providing supervision and care;
- Are at substantial risk of imminent abuse, abandonment, or neglect by the parent or parents or legal custodians; or
- Have been sexually exploited and have no parent, legal custodian, or responsible adult relative currently known and capable of providing the necessary and appropriate supervision and care.

A petition for dependency may be filed by an attorney for the DCF or another person who has knowledge of the facts alleged or is informed of them and believes they are true.²⁰

Central Abuse Hotline and Investigations

The department is statutorily required to operate and maintain a central abuse hotline to receive reports of known or suspected instances of child abuse,²¹ abandonment,²² or neglect,²³ or

subsequent adoption; to have no parent or legal custodians capable of providing supervision and care; to be at substantial risk of imminent abuse, abandonment, or neglect; or to have been sexually exploited and to have no parent, legal custodian, or responsible adult relative available to provide the necessary and appropriate supervision. Section 39.01(15), F.S.

¹⁸ Office of the State Courts Administrator, The Office of Family Courts, *A Caregiver’s Guide to Dependency Court*, available at: <https://flcourts-media.flcourts.gov/content/download/218185/file/Web-Caregivers-Guide-Final-09.pdf> (last visited 1/30/26); *see also* ch. 39, F.S.

¹⁹ Section 39.01(15), F.S.

²⁰ Section 39.501, F.S.

²¹ Section 39.01(2), F.S. defines “abuse” as any willful or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired.

²² Section 39.01(1), F.S. defines “abandoned” or “abandonment” as a situation in which the parent or legal custodian of a child of, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child’s care and maintenance or has made no significant contribution to the child’s care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. “Establish or maintain a substantial and positive relationship” means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

²³ Section 39.01(53), F.S. states “neglect” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly

instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.²⁴ The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.²⁵

If the hotline counselor determines a report meets the definition of abuse, abandonment, or neglect, the report is accepted for a protective investigation.²⁶ Based on the report, the department makes a determination regarding when to initiate a protective investigation:

- An investigation must be immediately initiated if:
 - It appears the child's immediate safety or well-being is endangered;
 - The family may flee or the child will be unavailable for purposes of conducting a child protective investigation; or
 - The facts otherwise warrant; or
- An investigation must be initiated within 24 hours in all other cases of child abuse, abandonment, or neglect.²⁷

Once a child protective investigator (CPI) is assigned, the CPI assesses the safety and perceived needs of the child and family; whether in-home services are needed to stabilize the family; and whether the safety of the child necessitates removal and the provision of out-of-home services.²⁸

In-Home Services and Out-of-Home Care

The DCF is required to make all efforts to keep children with their families and provide interventions that allow children to remain safely in their own homes.²⁹ CPIs and CBC case managers refer families for in-home services to allow children to remain in their own homes.

As of December 31, 2025, there were 8,111 children and young adults receiving in-home services.³⁰

When a CPI determines that in-home services are not enough to ensure a child's safety, the CPI removes the child from the home and places him or her in a safe and appropriate temporary out-of-home placement.³¹ These placements are aimed to be the least restrictive, most family-like placements available, and are intended to provide short-term housing and support to a child until the child can safely return home, or the child achieves an alternate form of permanency, such as

impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

²⁴ Section 39.201(1), F.S.

²⁵ Section 39.101(1), F.S.

²⁶ Section 39.201(4)(a), F.S.

²⁷ Section 39.101(2), F.S.

²⁸ See generally s. 39.301, F.S. and Part IV, Chapter 39, F.S. (regulating taking children into custody and shelter hearings).

²⁹ Sections 39.402(7), 39.521(1)(f), and 39.701(d), F.S.

³⁰ Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

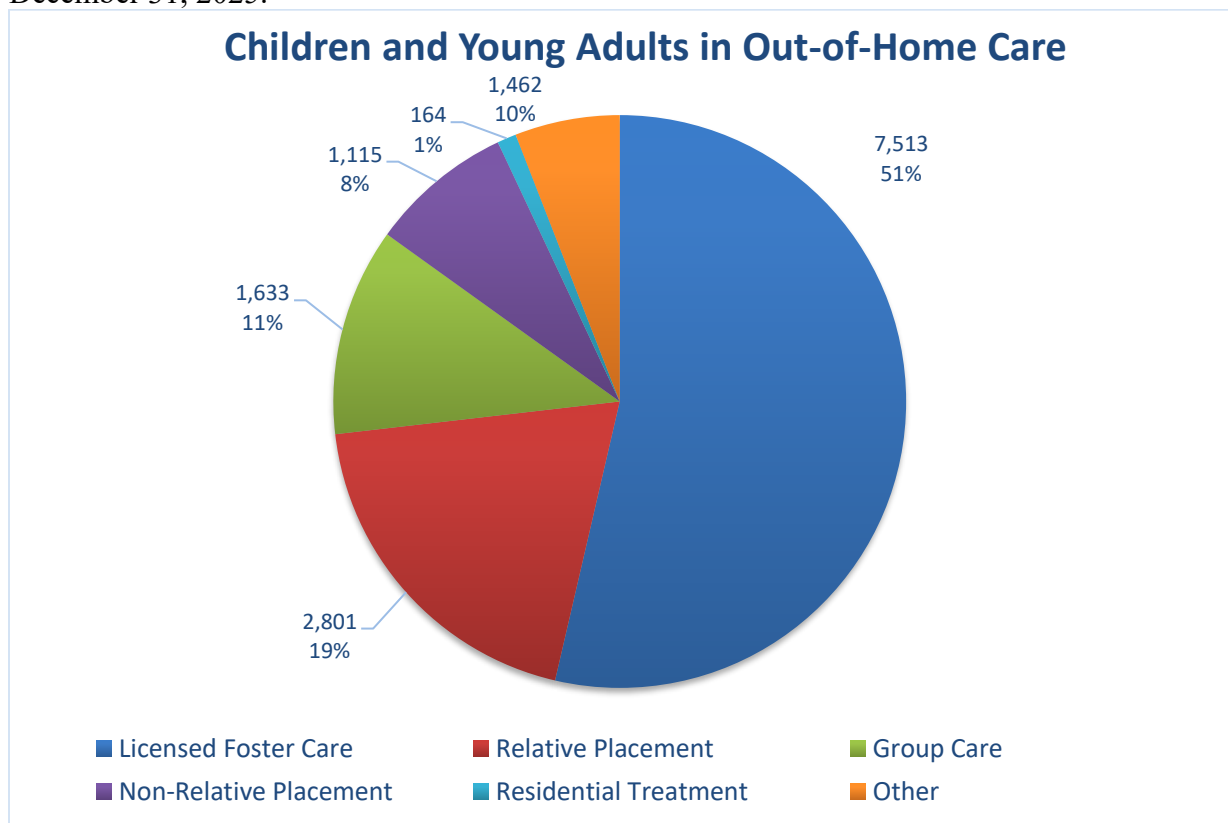
³¹ Section 39.4021, F.S.

adoption, if reunification is not attainable.³² The DCF is required to consider a child's placement in out-of-home care in the following priority order:

- Non-offending parent.
- Relative caregiver.
- Adoptive parent of the child's sibling.
- Fictive kin who has a close existing relationship to the child.
- Nonrelative caregiver that does not have an existing relationship to the child.
- Licensed foster care.
- Group or congregate care.³³

Out-of-Home Care for Children

The following chart demonstrates the number of children in out-of-home placement types as of December 31, 2025.³⁴



³² Florida Department of Children and Families, *Florida's Child Welfare Practice Model*, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/floridas-child-welfare-practice-model> (last visited 1/30/26).

³³ Section 39.4021, F.S.

³⁴ Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

Licensed Foster Care

Licensed care provides a range of placements for children in out-of-home care that vary in service level. The following chart displays each level of licensed care.³⁵

Licensed Care Placements	
Placement Type	Description
Level I: Child-Specific Foster Home	Places a child with relatives or non-relatives who have an existing relationship with the child and is willing and able to provide care for the child.
Level II: Non-Child Specific Foster Home	Places a child with a foster parent without having a prior relationship between the child and foster parent.
Level III: Safe Foster Home for Victims of Human Trafficking	Places a victim of human trafficking in a safe and stable environment.
Level IV: Therapeutic Foster Home	Places a child with a foster parent that has received specialized training to care for children and adolescents that have significant emotional, behavioral, or social needs.
Level V: Medical Foster Home	Places a child with a caregiver who has received specialized training to provide care for children and adolescents with chronic medical conditions.

Relative and Nonrelative Caregivers

When determining a suitable out-of-home placement for a child, the department identifies that placing a child within his or her own family reduces the trauma of removal, reduces the risk of placement disruption, and enhances prospects for finding a permanent family if the child cannot return home.³⁶ Placing a child in the home of a relative or fictive kin³⁷ is referred to as “kinship care” and is generally praised for improving the outcomes of children in out-of-home care.³⁸

The DCF is required to engage in family finding to identify family and other close adults that may care for the child in his or her home, or provide a long-term emotional support network if the adult is not able to care for the child in his or her home.³⁹ Such family finding efforts must begin as soon as the child is taken into the custody of the department.⁴⁰

As of December 31, 2025, there were 2,801 children and young adults placed with relatives, and 1,115 children and young adults placed with an approved nonrelative.⁴¹

³⁵ Florida Department of Children and Families, *Foster Home Licensing*, available at: <https://www.myflfamilies.com/services/licensing/foster-care-licensing> (last visited 1/27/26).

³⁶ Section 39.4015, F.S.

³⁷ “Fictive kin” refers to a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child. See Section 39.01(29), F.S.

³⁸ See Section 39.5086, F.S.; American Bar Association, *Kinship Care is Better for Children and Families*, available at: https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-36/july-aug-2017/kinship-care-is-better-for-children-and-families/ (last visited 1/27/26).

³⁹ Section 39.4015, F.S.

⁴⁰ *Id.*

⁴¹ Florida Department of Children and Families, *Office of Child and Family Well-Being Dashboard*, available at: <https://www.myflfamilies.com/ocfw-dashboard> (last visited 1/27/26).

Financial Support for Caregivers

To support caregivers as they care for children in out-of-home care, the state operates several programs to provide caregivers with financial assistance; the amount of financial assistance a caregiver receives is based on the type of caregiver, licensure, and the dependency status of the child.

Relative Caregiver Program

The Relative Caregiver Program (RCP) was established in 1998 and has been expanded⁴² in recent years to recognize the importance of family relationships and provide additional placement options and incentives to help achieve permanency and stability for children who are otherwise at risk for foster care placement.⁴³

Generally, the program provides RCP payments to relatives⁴⁴ who care full-time for a dependent child (and, in some circumstances, the dependent half brother or half sister of the dependent child) in the role of substitute parent as the result of a court's determination of child abuse, neglect, or abandonment, and the subsequent placement with the relative. Additionally, the program provides payments to nonrelatives who are willing to assume custody and care of a dependent child in the role of substitute parent as a result of the court's determination of child abuse, neglect, or abandonment and subsequent placement with the nonrelative caregiver.⁴⁵

Relatives or nonrelatives who care for a child found to be dependent receive a monthly payment equal to the monthly room and board rate pursuant to s. 409.145(3), F.S. from the date the child is found to be dependent or from the date the child is placed with them in out-of-home care, whichever is later, for a period of no more than 6 months or until the child achieves permanency, whichever occurs first.⁴⁶

Those participating in the RCP are not required to meet foster care licensing requirements.⁴⁷ However, if a relative or nonrelative *has* obtained licensure as a Level I foster parent, they receive the monthly room and board rates foster parents receive, *even if the child has not been adjudicated dependent*.⁴⁸ This payment extends from the date the child is placed in out-of-home care with his or her relative or nonrelative until the child achieves permanency.⁴⁹

⁴² Ch. 2024-68, L.O.F.

⁴³ Ch. 98-78, L.O.F.

⁴⁴ Referred to as within the fifth degree by blood or marriage to the parent or stepparent of the child. *See* Section 39.5085, F.S.

⁴⁵ Section 39.5085(2)(a), F.S.

⁴⁶ Section 39.5085(2)(d)2., F.S.

⁴⁷ Section 39.5085(2)(c), F.S.

⁴⁸ Section 39.5085(2)(d)1., F.S.

⁴⁹ *Id.*

Monthly Room and Board Rate

Level II through Level V licensed foster parents are eligible for the monthly room and board rate. Additionally, the room and board rate extends to the following individuals:⁵⁰

- Relative and nonrelative caregivers licensed as a Level I Child-Specific Foster Placement; and
- Relative and nonrelative caregivers receiving RCP payments who:
 - Have a child placed with them in out-of-home care and have obtained licensure as a Child-specific level I foster placement, regardless of whether a court has found the child to be dependent; or
 - Relatives or nonrelatives who have a child found to be dependent placed with them in out-of-home care, regardless of whether the relatives or nonrelatives have obtained a child-specific level I foster license.

The monthly room and board rate is different based upon the age of the child in out-of-home care. All recipients of the room and board rates receive an annual cost of living increase each January, equal to the percentage change in the Consumer Price Index.⁵¹ The following chart displays the room and board rate adjustments since 2022:

Room and Board Rate Increases 2022-2025				
Age Range	2022 Room and Board Rate⁵²	2023 Room and Board Rate⁵³	2024 Room and Board Rate⁵⁴	2025 Room and Board Rate⁵⁵
Ages 0-5 Years	\$517.94	\$551.61	\$570.36	\$586.90
Ages 6-12	\$531.21	\$565.74	\$584.98	\$601.94
Ages 13-21	\$621.77	\$662.19	\$684.70	\$704.56

The 2026 room and board rate increase has not been published as of January 30, 2026.

Additionally, CBC lead agencies are required to pay a supplemental room and board payment to foster parents and eligible RCP recipients for providing independent life skills and normalcy supports to children ages 13-17 years.⁵⁶ This monthly supplemental payment is determined on a per-child basis and is in addition to the base monthly room and board rate. The supplemental payment is ten percent of the monthly room and board rate for children aged 13-21, adjusted

⁵⁰ Section 409.145(3), F.S.

⁵¹ Section 409.145(3), F.S.

⁵² Florida Department of Children and Families, *2023 Foster Parent Cost of Living Allowance Increase Memo*, available at: https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf (last visited 1/27/26).

⁵³ Florida Department of Children and Families, *2023 Foster Parent Cost of Living Allowance Increase Memo*, available at: https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf (last visited 1/27/26).

⁵⁴ Florida Department of Children and Families, *2025 Foster Parent Cost of Living Allowance Increase Memo*, available at: <https://www.myflfamilies.com/sites/default/files/2025-04/2025%20Foster%20Parent%20Cost%20of%20Living%20Allowance%20Increase%20Memo%20-%20February%207%202025.pdf> (last visited 1/27/26).

⁵⁵ Florida Department of Children and Families, *2025 Foster Parent Cost of Living Allowance Increase Memo*, available at: <https://www.myflfamilies.com/sites/default/files/2025-04/2025%20Foster%20Parent%20Cost%20of%20Living%20Allowance%20Increase%20Memo%20-%20February%207%202025.pdf> (last visited 1/27/26).

⁵⁶ Section 409.145(3)(d), F.S.

annually.⁵⁷ Thus, in 2025, CBC lead agencies were required to pay foster parents and eligible RCP recipients a monthly supplemental payment of \$70.46 if they provided independent life skills and normalcy supports to the children in their care.

Reasonable and Prudent Parenting Standard

A growing body of research suggests that the removal of a child from his or her home, while ultimately in the best interest of the child's safety, is a traumatic and abrupt process that can leave a child feeling emotionally vulnerable and can create feelings of confusion.⁵⁸ During this traumatic period, children are also expected to process the trauma related to the maltreatment that necessitated their placement in foster care while in a new and unfamiliar environment.⁵⁹

Once in the foster care system, experiencing multiple placement disruptions has been associated with negative effects on a child's emotional and social health.⁶⁰ In addition to placement instability, in the past many foster youth lacked the freedom to experience childhood "normals" such as getting a driver's license or participating in sports.⁶¹ This was often due to a reluctance to allow foster children to engage in age-appropriate activities, due to the liability of a foster care agency should an accident occur.⁶² In 2013, Florida passed legislation that established the reasonable and prudent parent standard for foster parents, to allow caregivers to approve a child's participation in activities based on the foster parents' own assessment without departmental or court approval.⁶³ This legislation was intended to provide children in the foster care system with a degree of normalcy while in out-of-home care.

The passage of the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 codified the reasonable and prudent parenting standard on a national level, establishing the states as the entities responsible for developing the reasonable and prudent standards for foster parents.⁶⁴ Many state legislatures chose to adopt Foster Children's Bill of Rights to inform children in the system the rights that are afforded to them, including participation in activities that caregivers determine are appropriate based on the reasonable and prudent standards.⁶⁵

In Florida, the "reasonable and prudent parent" standard refers to the standard of care used by a caregiver in determining whether to allow a child in his or her care to participate in extracurricular, enrichment, and social activities. The standard is characterized by careful and thoughtful parental decisionmaking that is intended to maintain a child's health, safety, and best

⁵⁷ *Id.*

⁵⁸ Bruskas, D., & Tessin, D. H. (2013). *Adverse childhood experiences and psychosocial well-being of women who were in foster care as children*. The Permanente journal, 17(3), e131–e141. <https://doi.org/10.7812/TPP/12-121>

⁵⁹ *Id.*

⁶⁰ Carolien Konijn, Sabine Admiraal, Josefiene Baart, Floor van Rooij, Geert-Jan Stams, Cristina Colonnese, Ramón Lindauer, Mark Assink, *Foster care placement instability: A meta-analytic review*, Children and Youth Services Review, Volume 96, 2019, Pages 483-499, ISSN 0190-7409, <https://doi.org/10.1016/j.childyouth.2018.12.002>.

⁶¹ Juvenile Law Center, *Promoting Normalcy for Children and Youth in Foster Care*, available at: https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf (last visited 1/16/26).

⁶² *Id.*

⁶³ Ch. 2013-21, L.O.F.

⁶⁴ Juvenile Law Center, *Promoting Normalcy for Children and Youth in Foster Care*, available at: https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf (last visited 1/16/26).

⁶⁵ National Council of State Legislatures, *Foster Care Bill of Rights*, available at: <https://www.ncsl.org/human-services/-foster-care-bill-of-rights> (last visited 1/16/26).

interest while encouraging the child's emotional and developmental growth.⁶⁶ When determining if a child may participate in extracurricular, enrichment, or social activities, the caregiver must consider the following factors of the reasonable and prudent parent standard:⁶⁷

- The child's age, maturity, and developmental level to maintain the overall health and safety of the child.
- The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity.
- The best interest of the child, based on information known by the caregiver.
- The importance of encouraging the child's emotional and developmental growth.
- The importance of providing the child with the most family-like living experience possible.
- The behavioral history of the child and the child's ability to safely participate in the proposed activity.

Financial Allowances

Learning the value and use of money is an important aspect of normalcy in foster care. Current administrative rule requires the provision of an allowance to youth in out-of-home licensed care.⁶⁸ Such allowance should be provided at least monthly, should not be tied to behavior or the completion of chores or withheld as punishment.⁶⁹ Additionally, children should not be expected to use such an allowance to purchase personal hygiene items, school supplies, clothing, or other necessities.⁷⁰

Current administrative rule does not dictate the amount of allowance each youth should receive.⁷¹ However, the details of a child's allowance must be included in the child's transition plan, if they are of sufficient age and intellectual ability to manage their allowance.⁷²

Federal Funding for Child Welfare

Title IV-E

Title IV-E of the Social Security Act, entitled "Grants to States for Aid and Services to Needy Families with Children and for Child-Welfare Services," allows states to claim partial federal reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance.⁷³ To receive such reimbursement, states must follow a Title IV-E State Plan that is approved by the federal government.⁷⁴ For Fiscal Year 2026, Florida received \$70,173,155 for the Title IV-E Foster Care Program.⁷⁵

⁶⁶ Section 409.145(2)(a)3., F.S.

⁶⁷ Section 409.145(2)(b), F.S.

⁶⁸ 65C-28.009(9), F.A.C.

⁶⁹ 65C-28.009(9)(d), F.A.C.

⁷⁰ *Id.*

⁷¹ *See generally*, 65C-28.009, F.A.C.

⁷² 65C-28.009(9)(b), F.A.C.

⁷³ Congress.gov, *Child Welfare: State Plan Requirements under the Title IV-E Foster Care, Adoption Assistance, and Kinship Guardianship Assistance Program*, available at: <https://www.congress.gov/crs-product/R42794> (last visited 1/16/26).

⁷⁴ Congress.gov, *Child Welfare: State Plan Requirements under the Title IV-E Foster Care, Adoption Assistance, and Kinship Guardianship Assistance Program*, available at: <https://www.congress.gov/crs-product/R42794> (last visited 1/16/26).

⁷⁵ Tracking Accountability in Government Grants System, *Awards Search – Title IV-E Foster Care*, available at: <https://taggs.hhs.gov/SearchAward> (last visited 1/28/26).

Foster Care Maintenance Payments

Foster Care Maintenance Payments are payments that cover the cost of food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance, and reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child was enrolled at the time of placement in out-of-home care.⁷⁶ The monthly room and board rate foster parents receive under s. 409.145, F.S. is funded through Title IV-E Foster Care Maintenance Payments.⁷⁷

Chafee Foster Care Program for Successful Transition to Adulthood

In addition to federal funds for children currently in foster care, states may receive federal reimbursement to provide services to young adults as they age out of the foster care system through the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee program). The Chafee funds may be used to help a child aging out of the foster care system with education, employment, financial management, housing, emotional support, and assured connections to caring adults.⁷⁸ Each state varies in the services funded by the Chafee program, and are often based on the individual needs of a young adult.⁷⁹ In Fiscal Year 2025, Florida received \$7,142,900 from the John H. Chafee Foster Care Program funds.⁸⁰

Lived Experience in Child Welfare

Lived experience refers to the knowledge an individual has of a particular system, due to their personal involvement.⁸¹ Listening to the lived experiences of an individual helps to better understand the conditions affecting a certain population, (such as those in the child welfare system) solutions to address challenges that vulnerable populations face, and any unintended consequences from policies that were intended to support the population.⁸² In recent years, there has been an increased focus on engaging with individuals with lived experience in the child welfare system nationwide.⁸³

⁷⁶ 42 U.S.C. 675(4)(A)

⁷⁷ Department of Children and Families, *FY 2024-2025 CBC Cost Allocation Plan Template*, available at: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.myflfamilies.com%2Fsites%2Fdefault%2Ffiles%2F2025-05%2FFY%25202024-2025%2520CBC%2520Cost%2520Allocation%2520Plan%2520Template.doc&wdOrigin=BROWSELINK> (last visited 1/28/26).

⁷⁸ Administration for Children and Families, *John H. Chafee Foster Care Program for Successful Transition into Adulthood*, available at: <https://acf.gov/cb/grant-funding/john-h-chafee-foster-care-independence-program> (last visited 1/28/26).

⁷⁹ *Id.*

⁸⁰ Tracking Accountability in Government Grants System, *John H. Chafee Foster Care Program for Successful Transition to Adulthood*, available at: https://taggs.hhs.gov/Detail/CFDADetail?arg_CFDA_NUM=93674&utm_source=chatgpt.com (last visited 1/28/26).

⁸¹ Child Welfare Information Gateway, *Lived Experience*, available at: <https://www.childwelfare.gov/topics/casework-practice/lived-experience/?top=275> (last visited 1/21/26).

⁸² Office of the Assistant Secretary for Planning and Evaluation U.S. Department of Health and Human Services, *Methods and Emerging Strategies to Engage People with Lived Experience*, available at: <https://aspe.hhs.gov/sites/default/files/documents/62e7a64c60e10c47484b763aa9868f99/lived-experience-brief.pdf> (last visited 1/21/26).

⁸³ Administration for Children and Families, *Incorporating Lived Experience into Child Welfare Capacity Building*, available at: <https://acf.gov/cb/report/incorporating-lived-experience-child-welfare-capacity-building> (last visited 1/21/26).

Statewide Youth Advisory Board

In 2025, the DCF launched the Statewide Youth Advisory Board (Board), which engages young adults with previous experience in the child welfare system.⁸⁴ Through the Board, young adults may share their insights and ideas about improving the child welfare system with the DCF, while also developing their advocacy skills.⁸⁵ The Board is youth-led and self-standing, and applicants must be endorsed by a CBC lead agency or a state-recognized Youth Advocacy Organization.⁸⁶ Individuals may be a voting member, non-voting member, or an officer, based on their age, as described below:⁸⁷

- Voting Members: 18-23 years of age.
- Non-Voting Members: 14-26 years of age.
- Officer Positions: 18-23 years of age.

The Board aims to conduct the following:⁸⁸

- **Promote participation** of youth and young adults in DCF decision-making processes, ensuring consistent and constructive feedback from individuals with lived experience.
- **Establish a structured partnership** between youth members and the DCF, guided by the Youth Advisor.
- **Equip young adults** with the necessary skills and knowledge to lead impactful discussions with key stakeholders, including DCF leadership.
- **Develop leadership skills** for youth members through training in advocacy, public speaking, and policy development.
- **Improve communication** between DCF staff and youth communities.
- **Maintain independence** as a youth-led group while collaborating closely with the DCF to improve services and policies affecting youth.
- **Incorporate youth perspectives** into DCF initiatives, policies, and programs impacting their lives.

III. Effect of Proposed Changes:

Section 1 amends s. 39.4085, F.S., to modify the goals for dependent children and require the DCF and each CBC lead agency to coordinate with organizations that are focused on empowering children with lived experience to address challenges and opportunities for children in the child welfare system. The bill establishes the requirements for such coordination, requiring the DCF or CBC lead agency and organizations to meet quarterly in person or via electronic means, publish a formal agenda and, after the meeting, minutes on the DCF's or CBC lead agency's website.

⁸⁴ Florida Department of Children and Families, *The Florida DCF Announces the Launch of the Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/news-events/newsroom/press-release/florida-department-children-and-families-announces-launch> (last visited 1/21/26).

⁸⁵ *Id.*

⁸⁶ Florida Department of Children and Families, *Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited 1/21/26).

⁸⁷ *Id.*

⁸⁸ Florida Department of Children and Families, *Statewide Youth Advisory Board*, available at: <https://www.myflfamilies.com/statewide-youth-advisory-board> (last visited 1/21/26).

The bill requires the DCF and each CBC lead agency to publish on their respective websites a report that outlines how the DCF and CBC lead agencies have implemented the suggestions received from organizations in the quarterly meetings. Such reports must be published by February 1 and August 1 annually, beginning in 2027.

Section 2 amends s. 409.145, F.S. to require caregivers of children in the child welfare system to provide each child in his or her care a weekly cash allowance, beginning when the child attains six years of age.

The bill establishes the minimum weekly allowance a child must receive, as follows:

- For children ages 6-12 years: \$1 for each year of age per week. Equal to \$24 to \$48 per month, per child.
- For children ages 13-17 years: \$20 per week. Equal to \$80 per month, per child.

The bill prohibits the weekly cash allowance from being tied to the child's behavior or the completion of the child's chores. Further, caregivers are prohibited from withholding the child's allowance as a form of punishment or requiring the child to use his or her allowance to purchase person hygiene items, school supplies, clothing, or other necessities that are the caregiver's responsibility to purchase.

The bill encourages caregivers to offer the child opportunities to earn additional money through chores and help a child obtain employment, if the child desires.

The bill includes the provision of a weekly cash allowance in the application of the reasonable and prudent parenting standard of care.

This change is intended to emphasize normalcy in foster care, and promote independence, responsibility, and decision making as the child learns the value and use of money.

The bill gives rulemaking authority to the DCF.

Section 3 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the provision of a weekly allowance for children in out-of-home care based on their age. This requirement is:

- For children ages 6-12 years: \$1 for each year of age per week. Equal to \$24 to \$48 per month, per child.
- For children ages 13-17 years: \$20 per week. Equal to \$80 per month, per child.

The Department of Children and Families estimates an annual fiscal impact to the state of approximately **\$6,047,444** based on the current number of children in out-of-home care eligible for the allowance, the weekly allowance amount based on the child's age, and the number of weeks per year.⁸⁹

To estimate the fiscal impact, the department multiplied the number of children in out-of-home care in each age group by the weekly allowance amount they would receive based on their age. To estimate this cost for one year, the department multiplied that number by the number of weeks per year, as follows:⁹⁰

Cost of Allowance = Number of Children * Weekly Allowance Amount * Number of Weeks Per Year

Allowance Fiscal Projections				
Age	Number of Children	Proposed Weekly Allowance Amount	Weeks Per Year	Total Per Year
6	772	\$6 per week	52	\$240,864
7	692	\$7 per week	52	\$251,888
8	684	\$8 per week	52	\$284,544
9	634	\$9 per week	52	\$296,712

⁸⁹ E-mail with Chancer Teel, Legislative Affairs Director (on file with the Senate Committee on Children, Families, and Elder Affairs).

⁹⁰ E-mail with Chancer Teel, Legislative Affairs Director (on file with the Senate Committee on Children, Families, and Elder Affairs).

Allowance Fiscal Projections				
Age	Number of Children	Proposed Weekly Allowance Amount	Weeks Per Year	Total Per Year
10	626	\$10 per week	52	\$325,520
11	625	\$11 per week	52	\$357,500
12	634	\$12 per week	52	\$395,616
13-17	3,745	\$20 per week	52	\$3,894,800
Total				\$6,047,444

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 39.4085, 409.145

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Polsky

30-01095-26

20261022__

A bill to be entitled
An act relating to children's initiatives; amending s.
409.147, F.S.; establishing the Bay County 32401
Children's Initiative in Bay County and the Pompano
RYZE Children's Initiative in Broward County;
providing for the projects to be managed by not-for-
profit corporations; declaring that the initiatives
are subject to state public records and meeting
requirements and procurement of commodities and
contractual services requirements; requiring
designated children's initiatives to assist in the
creation of community-based service networks and
programming that provides certain services for
children and families residing in disadvantaged areas
of this state; providing for evaluation, fiscal
management, and oversight of the projects; providing
an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsection (14) of section 409.147,
Florida Statutes, is redesignated as subsection (16) and
amended, and new subsections (14) and (15) are added to that
section, to read:

409.147 Florida Children's Initiatives.—

(14) THE BAY COUNTY 32401 CHILDREN'S INITIATIVE.—

(a) There is created within Bay County a project called the
Bay County 32401 Children's Initiative managed by an entity
organized as a not-for-profit corporation registered,

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30 incorporated, organized, and operated in compliance with chapter
31 617 and this section. Public policy dictates that the Bay County
32 32401 Children's Initiative operate in the most open and
33 accessible manner consistent with its public purpose. Therefore,
34 the Legislature declares that the Bay County 32401 Children's
35 Initiative is subject to chapter 119, relating to public
36 records; chapter 286, relating to public meetings and records;
37 and chapter 287, relating to the procurement of commodities or
38 contractual services.

39 (b) This initiative is designed to encompass an area that
40 is large enough to include all of the necessary components of
41 community life, including, but not limited to, schools, places
42 of worship, recreational facilities, commercial areas, and
43 common spaces, yet small enough to allow programs and services
44 to reach every member of the neighborhood who is willing to
45 participate in the project.

46 (15) POMPANO RYZE CHILDREN'S INITIATIVE.—

47 (a) There is created within Broward County a project called
48 the Pompano RYZE (Resilient Youth with Zeal to Excel) Children's
49 Initiative managed by an entity organized as a not-for-profit
50 corporation registered, incorporated, organized, and operated in
51 compliance with chapter 617 and this section. Public policy
52 dictates that the Pompano RYZE Children's Initiative operate in
53 the most open and accessible manner consistent with its public
54 purpose. Therefore, the Legislature declares that the Pompano
55 RYZE Children's Initiative is subject to chapter 119, relating
56 to public records; chapter 286, relating to public meetings and
57 records; and chapter 287, relating to the procurement of
58 commodities or contractual services.

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(b) This initiative is designed to encompass an area that is large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common spaces, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.

~~(16)(14)~~ IMPLEMENTATION.—

(a) The Miami Children's Initiative, Inc., the New Town Success Zone, the Orlando Kidz Zones, the Tampa SSNOP, ~~and the Overtown Children and Youth Coalition,~~ the Bay County 32401 Children's Initiative, and the Pompano RYZE Children's Initiative have been designated as Florida Children's Initiatives consistent with the legislative intent and purpose of s. 16, chapter 2009-43, Laws of Florida, and as such shall each assist the disadvantaged areas of this state in creating a community-based service network and programming that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within their boundaries.

(b) To implement this section for the Florida Children's Initiatives listed in this section, the department shall contract with a not-for-profit corporation, to work in collaboration with the governing body to adopt the resolution described in subsection (4), to establish the planning team as provided in subsection (5), and to develop and adopt the strategic community plan as provided in subsection (6). The not-for-profit corporation is also responsible for the development

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88 of a strategic business plan and for the evaluation, fiscal
89 management, and oversight of the Florida Children's Initiatives.

90 Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 1022

INTRODUCER: Senator Polsky

SUBJECT: Children's Initiatives

DATE: February 2, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rao	Tuszynski	CF	Pre-meeting
2.			AHS	
3.			FP	

I. Summary:

Children's Initiatives are community-based service networks located in disadvantaged areas to develop and provide economic opportunities for children and families that live in the area.

SB 1022 provides for the creation of the Bay County 32401 Children's Initiative within Bay County and the Pompano RYZE (Resilient Youth with Zeal to Excel) Children's Initiative within Broward County.

The bill requires both Children's Initiatives to be managed by a not-for-profit corporation that is in compliance with the requirements for not-for-profit corporations in Ch. 617, F.S. The areas the Children's Initiatives serve must be large enough to include all the necessary components of community life, yet small enough to serve all members of the community who wish to participate in the project.

Both Children's Initiatives are operating currently and have completed the requirements to be designated as a Children's Initiatives according to the Ounce of Prevention Fund of Florida, the organization responsible for designating an area as a Children's Initiative.

The bill provides an effective date of July 1, 2026.

II. Present Situation:

Florida Children's Initiatives

In 2008, the Legislature created Children's Initiatives.¹ Acknowledging the lack of infrastructure and opportunities that is present in some communities in the state, Children's Initiatives are intended to assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within that area.²

The state leverages investments that are intended to encourage community partners to commit financial resources to disadvantaged areas. Section 409.147, F.S., outlines the process for a county or municipality (or a county and one or more municipalities together) to apply to the Ounce of Prevention Fund of Florida to designate an area as a Florida Children's Initiative. Generally, the governing body of the county or municipality must first adopt a resolution finding the area has issues related to poverty, that changes are necessary for the area to improve, and that resources are necessary for the revitalization of the area.³ Following the adoption of the resolution, the county or municipality must establish a children's initiative planning team and develop and adopt a strategic community plan. Once a county or municipality has completed these steps, it must create a not-for-profit corporation.⁴

Florida Children's Initiative Planning Team

The Children's Initiative planning team is responsible for developing a planning process that builds a commitment to achieving the vision of the Florida Children's Initiative concept.⁵ The planning team must identify the opportunities, strengths, challenges, and problems in the Florida Children's Initiatives, and develop a vision of what the Florida Children's Initiative will look like when such issues are addressed. Additionally, the planning team must develop a strategic community plan that consists of goals, objectives, tasks, the designation of responsible parties, the identification of necessary resources, implementation timelines, and monitoring procedures.⁶

There is no statutory requirement for the number of individuals that must be on a planning team; however, at least half of the members must be residents. The other half of the planning team may include representatives from community-based organizations and other community institutions.

Planning teams are required to designate working groups that address each of the following focus areas:⁷

- Early development and care of children.
- Education of children and youth.

¹ Children's Initiatives were originally referred to as "Children's Zones" in 2008; in 2009, the Legislature changed the name to "Children's Initiatives." See Ch. 2008-96, L.O.F. and Ch. 2009-43, L.O.F.

² Section 409.147(1), F.S.

³ Section 409.147(4), F.S.

⁴ Section 409.147(4), F.S.

⁵ Section 409.147(5), F.S.

⁶ *Id.*

⁷ Section 409.147(5), F.S.

- Health and wellness.
- Youth support.
- Parent and guardian support.
- Adult education, training, and jobs.
- Community safety.
- Housing and community development.

Florida Children's Initiatives Strategic Community Plan

Each working group created by the planning team must develop objectives and identify strategies for each focus area that include, but are not limited to, the following:⁸

Objectives for Each Working Group Focus Area	
Focus Area	Objectives for Working Group
Early Development and Care of Children	Providing resources to enable every child to be adequately nurtured during the first 3 years of life.
	Ensuring that all schools are ready for children and all children are ready for school by the time they reach kindergarten.
	Facilitating enrollment in half-day or full-day prekindergarten for all 3-year-old and 4-year-old children.
	Strengthening parent and guardian relationships with care providers.
	Providing support and education for families and child care providers.
Education of children and youth	Increasing the level and degree of knowledge and accountability of persons who are responsible for the development and well-being of all children in each Florida Children's Initiative.
	Transforming the structure and function of schools to increase the quality and amount of time spent on instruction and increase programmatic options and offerings.
	Creating a safe and respectful environment for student learning.
	Identifying and supporting points of alignment between a Florida Children's Initiative community plan and the school district's strategic plan.
Health and Wellness	Facilitating enrollment of all eligible children in the Florida Kidcare program and providing full access to high-quality drug and alcohol treatment services.
	Eliminating health disparities between racial and cultural groups, including improving outcomes and increasing interventions.
	Providing fresh, good quality, affordable, and nutritious food within a Florida Children's Initiative.
	Providing all children in a Florida Children's Initiative with access to safe structured and unstructured recreation.
Youth support	Increasing the high school graduation, postsecondary enrollment, and postsecondary completion rates among neighborhood youth.
	Increasing leadership development and employment opportunities for neighborhood youth.
Parent and guardian support	Increasing parent and adult literacy.
	Expanding access for parents to critical resources, such as jobs, transportation, day care, and after-school care.
	Improving the effectiveness of the ways in which support systems communication and collaborate with parents and the ways in which parents communicate and collaborate with support systems.

⁸ Section 409.147(6), F.S.

Objectives for Each Working Group Focus Area	
Focus Area	Objectives for Working Group
	Making the services of the Healthy Families Florida program available to provide multiyear support to expectant parents and persons caring for infants and toddlers.
Adult education, training, and jobs	Creating job opportunities for adults that lead to career development.
	Establish a career and technical school, or a satellite of such a school within a Florida Children's Initiative, which includes a one-stop career center.
Community safety	Providing a safe environment for all children at home, in school, and in the community.
	Eliminating the economic, political, and social forces that lead to a lack of safety within the family, the community, schools, and institutional structures.
	Assessing policies and practices, including sentencing, incarceration, detention, and data reporting, to reduce youth incarceration, violence, crime, and recidivism.
Housing and community development	Strengthening the residential real estate market.
	Building on existing efforts to promote socioeconomic diversity when developing a comprehensive land use strategic plan.
	Promoting neighborhood beautification strategies.

Florida Children's Initiatives Corporation

Each Florida Children's Initiative must identify an existing, qualified not-for-profit corporation or create a not-for-profit corporation that is registered, incorporated, organized, and operated in compliance with Ch. 617, F.S., which is the state's Not For Profit Corporation Act.⁹ Such a corporation is intended to facilitate fundraising and secure broad community ownership of the initiative. Further, the corporation will assume the responsibility for planning from the planning team and begin the implementation and governance of the strategic community plan.¹⁰

Current Florida Children's Initiatives

Currently, there are five recognized Florida Children's Initiatives, as follows:¹¹

- Miami Children's Initiative.¹²
- The New Town Success Zone.¹³
- The Orlando Kidz Zones.¹⁴
- The Tampa Sulphur Springs Neighborhood of Promise (SSNOP).¹⁵
- The Overtown Children and Youth Coalition.¹⁶

Each Florida Children's Initiative must update the strategic community plan every 5 years to reflect, at a minimum, the following:¹⁷

- The current status of the area served by the Florida Children's Initiative;

⁹ Section 409.147(7), F.S. and Ch. 617, F.S.

¹⁰ Section 409.147(7), F.S.

¹¹ Section 409.147, F.S.

¹² Section 409.147(9), F.S.

¹³ Section 409.147(10), F.S.

¹⁴ Section 409.147(11), F.S.

¹⁵ Section 409.147(12), F.S.

¹⁶ Section 409.147(13), F.S.

¹⁷ Section 409.147(7), F.S.

- The goals, objectives, and strategies for each focus area; and
- The tasks required to implement the strategies for the upcoming year.

The Ounce of Prevention is required to provide technical assistance to the Children’s Initiative corporation to facilitate the implementation of the strategic community plan.¹⁸

Exemptions and Requirements for Florida Children’s Initiatives

Florida Children’s Initiatives are designed to encompass an area large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common space, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.¹⁹ Not-for-profit corporations designated as Children’s Initiatives are not subject to the control, supervision, or direction by any department of the state.²⁰ However, the corporations are subject to Ch. 119, F.S., relating to public records; ch. 286, F.S. relating to public meetings and records; and ch. 287, F.S., relating to procurement of commodities or contractual services. Corporations must comply with these requirements to operate in the “most open and accessible manner” consistent with its public purpose.²¹

The Ounce of Prevention Fund of Florida

The Ounce of Prevention Fund of Florida (Ounce) is a private, nonprofit corporation dedicated to shaping prevention policy and investing in innovative prevention programs that provide measurable benefits to Florida’s children, families, and communities.²² The Ounce identifies, funds, supports, and tests programs to improve the life outcomes of children, preserve and strengthen families, and promote health behavior and functioning in society.²³ The Ounce is identified in statute as the organization that is able to designate areas in Florida as Children’s Initiatives.²⁴ The Ounce has not been appropriated funds to fund new or existing Children’s Initiatives since 2022.²⁵

Bay County 32401 Children’s Initiative

Bay County is located in the Panhandle region of Northwest Florida, spanning 1,033.3 square miles.²⁶ As of July 1, 2024, there was an estimated 199,718 residents, with the median household

¹⁸ Section 409.147(7), F.S.

¹⁹ See Section 409.147, F.S.

²⁰ Section 409.147(7), F.S.

²¹ See Section 409.147, F.S.

²² The Ounce of Prevention Fund of Florida, available at: <https://www.ounce.org/index.asp> (last visited 1/28/26).

²³ *Id.*

²⁴ Section 409.147(4), F.S.

²⁵ Ch. 2022-156, L.O.F., specific appropriation 318.

²⁶ Bay County Florida, *Geography & Climate*, available at: <https://www.baycountyfl.gov/340/Geography-Climate> (last visited 1/28/26).

income from 2019-2023 of \$70,188.²⁷ In Bay County, 11.6% of individuals are reported to live in poverty.²⁸

Goshen Community Resource and Recovery Center (Goshen) is the not-for-profit corporation associated with the Bay County 32401 Children's Initiative.²⁹ Established in 2019, Goshen strives to provide educational, economic, and social assistance to those in the community that are abused, neglected, abandoned, and disenfranchised.³⁰ The organization facilitates food donation distributions, provides referral services to other community organizations, and operates a recovery center that provides counseling, education, and financial literacy supports to disenfranchised individuals in the community.³¹

The Ounce of Prevention Fund of Florida reports that the Bay County 32401 has met the statutory requirements and was designated as a Children's Initiative in March 2025.³²

Pompano RYZE Children's Initiative

Broward County is a county located in Southeast Florida with 31 cities.³³ The county has an estimated number of 2,037,472 residents, with 11.7% of residents living in poverty.³⁴

The Community Foundation of Broward (Community Foundation) is the not-for-profit corporation associated with the Pompano RYZE Children's Initiative.³⁵ The Community Foundation is a grantmaking public charity that supports individuals, families, and local organizations as they create personalized charitable funds to assist Broward County.³⁶ The Community Foundation has six focus areas that it emphasizes in grantmaking to improve Broward County, as follows:³⁷

- Education & Youth Enrichment.
- Social & Economic Mobility.

²⁷ Bay County Florida, *Geography & Climate*, available at: <https://www.baycountyfl.gov/340/Geography-Climate> (last visited 1/28/26).

²⁸ United States Census Bureau, *Bay County, Florida*, available at: <https://www.census.gov/quickfacts/fact/table/baycountyflorida/PST045225> (last visited 1/28/26).

²⁹ E-mail with Winifred Heggins, Vice President of the Ounce of Prevention Fund of Florida (on file with the Senate Committee on Children, Families, and Elder Affairs).

³⁰ Goshen Community Resource and Recovery Center, Inc, *Experience Goshen Community Resource and Recovery Center*, available at: <https://www.goshencommunitypc.com/> (last visited 1/29/26).

³¹ Goshen Community Resource and Recovery Center, Inc, *Experience Goshen Community Resource and Recovery Center*, available at: <https://www.goshencommunitypc.com/> (last visited 1/29/26).

³² E-mail with Winifred Heggins, Vice President of the Ounce of Prevention Fund of Florida (on file with the Senate Committee on Children, Families, and Elder Affairs).

³³ World Population Review, *Broward County, Florida*, available at: <https://worldpopulationreview.com/us-cities/florida/by-county/broward-county> (last visited 1/28/26).

³⁴ United States Census Bureau, *Broward County, Florida*, available at: <https://www.census.gov/quickfacts/fact/table/browardcountyflorida/PST045225> (last visited 1/28/26).

³⁵ E-mail with Winifred Heggins, Vice President of the Ounce of Prevention Fund of Florida (on file with the Senate Committee on Children, Families, and Elder Affairs).

³⁶ Community Foundation of Broward, *What We Do*, available at: <https://www.cfbroward.org/about-us/our-story> (last visited 1/29/26).

³⁷ Community Foundation of Broward, *Mission, Vision, & Values*, available at: <https://www.cfbroward.org/about-us/mission-vision-values> (last visited 1/29/26).

- Healthy & Thriving Communities.
- Art & Culture.
- Building Community and Opportunity.
- Strong Nonprofit Community.

The Ounce of Prevention Fund of Florida reports that Pompano RYZE has met all statutory requirements and was designated as a Children's Initiative in February 2025.³⁸

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 409.147, F.S. to create the Bay County 32401 Children's Initiative within Bay County and the Pompano RYZE (Resilient Youth with Zeal to Excel) Children's Initiative within Broward County.

The bill requires both Children's Initiatives to be managed by a not-for-profit corporation that is registered, incorporated, organized, and operated in compliance with Ch. 617, F.S. The Initiatives must operate in the most open and accessible manner consistent with its public purpose and be subject to the following chapters in Florida statute:

- Chapter 119, relating to public records;
- Chapter 286, relating to public meetings and records; and
- Chapter 287, relating to the procurement of commodities or contractual services.

The bill establishes that both Bay County 32401 Children's initiative and Pompano RYZE Children's Initiative are designed to encompass an area that is large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common spaces, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.

The bill adds the Bay County 32401 Children's Initiative and the Pompano RYZE Children's Initiatives to the implementation section of s. 409.147, F.S., including the two Children's Initiatives in the list of Children's Initiatives that are required to assist the disadvantaged areas of Florida in creating a community-based service network.

Section 2 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³⁸ E-mail with Winifred Heggins, Vice President of the Ounce of Prevention Fund of Florida (on file with the Senate Committee on Children, Families, and Elder Affairs).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 409.147

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.