

|              |   |   |                 |                         |  |       |          |
|--------------|---|---|-----------------|-------------------------|--|-------|----------|
| <b>Tab 3</b> | <b>SB 1462</b> by <b>Bracy Davis</b> ; Identical to H 01267 Temporary Cash Assistance Eligibility |   |                 |                         |  |       |          |
| 191014       | A   | S | CF, Bracy Davis | Delete L.28 - 34:       |  | 02/02 | 01:02 PM |
| <b>Tab 4</b> | <b>SB 1690</b> by <b>Calatayud</b> ; Compare to CS/H 00765 Early Childhood Education              |   |                 |                         |  |       |          |
| 109638       | D   | S | CF, Calatayud   | Delete everything after |  | 02/02 | 01:10 PM |
| <b>Tab 1</b> | <b>SB 996</b> by <b>Rodriguez</b> ; Similar to H 00395 Dependent Children                         |   |                 |                         |  |       |          |
| <b>Tab 2</b> | <b>SB 1022</b> by <b>Polksy</b> ; Identical to H 00933 Children's Initiatives                     |   |                 |                         |  |       |          |

**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<br>SENATE COMMITTEE ACTIONS  | COMMITTEE ACTION |
|-----|---|---|------------------|
| 1   | <b>SB 996</b><br>Rodriguez<br>(Similar H 395)       | <p>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.</p> <p>CF      02/03/2026<br/>AHS<br/>FP</p>   |                  |
| 2   | <b>SB 1022</b><br>Polsky<br>(Identical H 933)       | <p>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.</p> <p>CF      02/03/2026<br/>AHS<br/>FP</p> |                  |
| 3   | <b>SB 1462</b><br>Bracy Davis<br>(Identical H 1267) | <p>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.</p> <p>CF      02/03/2026<br/>AHS<br/>FP</p>   |                  |

**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<br>SENATE COMMITTEE ACTIONS  | COMMITTEE ACTION |
|-----|--|---|------------------|
|     |  |   |                  |
| 4   | <b>SB 1690</b><br>Calatayud<br>(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

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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, unless the conviction is for trafficking pursuant to s. 893.135.

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30 To be eligible under this section, an individual convicted of a  
31 drug felony must be satisfactorily meeting the requirements of  
32 the temporary cash assistance program, including all substance  
33 abuse treatment requirements. Within the limits specified in  
34 this chapter, The state opts out of the provision of Pub. L. No.  
35 104-193, s. 115, that eliminates eligibility for temporary cash  
36 assistance and food assistance for any individual convicted of a  
37 controlled substance felony.

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



LEGISLATIVE ACTION

Senate

House

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•  
•  
•

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

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete lines 28 - 34

4 and insert:

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



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

17

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

19 And the title is amended as follows:

20 Delete lines 3 - 7

21 and insert:

22       eligibility; amending s. 414.095, F.S.; providing that  
23       benefits may not be denied to certain persons solely  
24       on the basis of a drug trafficking conviction;  
25       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.)

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

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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        |             |

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## 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).<sup>1</sup> The program is intended to provide short-term financial assistance to low-income families with children while promoting work, self-sufficiency, and family stability.<sup>2</sup> In Florida, the TCA program is

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<sup>1</sup> 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.

<sup>2</sup> Sections 414.025, 414.085, 414.095(1), and 414.105, F.S.

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

### ***Eligibility***

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

- Be a U.S. citizen or qualified noncitizen;<sup>7</sup>
  - Qualified noncitizens include refugees, asylees, lawful permanent residents, Cuban or Haitian entrants, and certain battered individuals eligible under the Violence Against Women Act.<sup>8</sup>
  - Each member of the family household must provide a Social Security number or proof of application for a Social Security number.<sup>9</sup>
- Be a legal resident of Florida;<sup>10</sup>
- Have a minor child residing with a custodial parent or relative caregiver;<sup>11</sup>
  - 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.<sup>12</sup>
- Have a gross family household income of 185 percent or less of the federal poverty level;<sup>13</sup>
- 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);<sup>14</sup> and
- Register for work with the local workforce development board, unless an applicant qualifies for an exemption.<sup>15</sup>

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

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<sup>3</sup> 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).

<sup>4</sup> Section 414.095(1), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> 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).

<sup>7</sup> Section 414.095(2)(a)1., F.S.

<sup>8</sup> Section 414.095(3), F.S.

<sup>9</sup> Section 414.095(2)(a)3., F.S.

<sup>10</sup> Section 414.095(2)(a)2., F.S.

<sup>11</sup> Section 414.095(2)(a)4., F.S.

<sup>12</sup> Section 414.095(5), F.S.

<sup>13</sup> 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>.

<sup>14</sup> Section 414.075, F.S.

<sup>15</sup> Section 414.095(1), F.S.

<sup>16</sup> 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.<sup>17</sup>

### ***Benefit Amounts***

Florida law establishes a three-tier shelter payment standard, linking benefit levels to family size and shelter obligations.<sup>18</sup> 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.<sup>19</sup> 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.<sup>20</sup> 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<br>\$700 / 2 = \$350 | \$241 - \$350 = -\$109<br>\$0 |
| 2           | > \$0 and ≤ \$50        | \$205            | \$600        | \$600 - \$200 = \$400<br>\$400 / 2 = \$200 | \$205 - \$200 = \$5<br>\$5    |
| 3           | \$0                     | \$198            | \$500        | \$500 - \$200 = \$300<br>\$300 / 2 = \$150 | \$198 - \$150 = \$48<br>\$48  |

<sup>17</sup> Section 414.105, F.S.

<sup>18</sup> Section 414.095(10), F.S.

<sup>19</sup> 65A-4.220(2)(b), F.A.C.

<sup>20</sup> 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.<sup>21</sup>

### 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.<sup>22</sup>

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.,<sup>23</sup> which includes agreeing, conspiring, combining, or confederating with another person to commit drug trafficking.<sup>24</sup> 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.<sup>25</sup> During the application process, individuals seeking TCA benefits self-attest if they have been convicted of felony drug trafficking.<sup>26</sup> This information is then confirmed by an eligibility specialist during the applicant's interview.<sup>27</sup> 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.<sup>28</sup>

The DCF reports that three individuals were denied TCA benefits in 2025 due to drug trafficking convictions.<sup>29</sup> 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.<sup>30</sup> This means that, while those with drug trafficking convictions may still

<sup>21</sup> Section 414.095(13), F.S.

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

<sup>23</sup> Section 414.095(1), F.S.

<sup>24</sup> Section 893.135(5), F.S.

<sup>25</sup> Section 893.135(1), F.S.

<sup>26</sup> 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>.

<sup>27</sup> 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).

<sup>28</sup> 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).

<sup>29</sup> 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.

<sup>30</sup> 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.<sup>31</sup> 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.<sup>32</sup>

### **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.

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<sup>31</sup> Section 414.095(1), F.S.

<sup>32</sup> 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

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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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59       administered integral programs, except as provided in s.

60       402.3025.~~;~~

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

62       (c) Summer day camps.~~;~~

63       (d) Bible schools normally conducted during vacation  
64       periods.~~;~~ and

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

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

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

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

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

110 (a) In kindergarten through grade 12;

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

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

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

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117        402.305 Licensing standards; child care facilities.—  
118        (2) PERSONNEL.—Minimum standards for child care personnel  
119 shall include minimum requirements as to:  
120        (a) Good moral character based upon screening as defined in  
121 s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted as  
122 provided in chapter 435, using the level 2 standards for  
123 screening provided in that chapter, and include employment  
124 history checks, a search of criminal history records, sexual  
125 predator and sexual offender registries, and child abuse and  
126 neglect registry of any state in which the current or  
127 prospective child care personnel resided during the preceding 5  
128 years. The department shall complete the screening and provide  
129 the results to the child care facility within 3 business days  
130 from the receipt of the criminal history record check. If the  
131 department is unable to complete the screening within 3 business  
132 days, the department shall issue the current or prospective  
133 child care personnel a 45-day provisional-hire status while all  
134 required information is being requested and the department is  
135 awaiting results unless the department has reason to believe a  
136 disqualifying factor may exist. During the 45-day period, the  
137 current or prospective child care personnel must be under the  
138 direct supervision of a screened and trained staff member when  
139 in contact with children.

140  
141        The department may grant limited exemptions to the minimum  
142 standards provided in this subsection which authorize a person  
143 to work in a specified role or with a specified population.

144        (7) SANITATION AND SAFETY.—  
145        (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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175 ~~requirements of this subsection.~~176       Section 4. Section 627.70161, Florida Statutes, is amended  
177 to read:178       627.70161 Family child day care and large family child care  
179 insurance.—180       (1) PURPOSE AND INTENT.—The Legislature recognizes that  
181 family child day care and large family child care homes fulfill  
182 a vital role in providing child care in Florida. It is the  
183 intent of the Legislature that residential property insurance  
184 coverage should not be canceled, denied, or nonrenewed solely on  
185 the basis of the child family day care services at the  
186 residence. The Legislature also recognizes that the potential  
187 liability of residential property insurers is substantially  
188 increased by the rendition of child care services on the  
189 premises. The Legislature therefore finds that there is a public  
190 need to specify that contractual liabilities that arise in  
191 connection with the operation of the family child day care home  
192 or the large family child care home are excluded from  
193 residential property insurance policies unless they are  
194 specifically included in such coverage.

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

196       (a) "Child care" means the care, protection, and  
197 supervision of a child, for a period of less than 24 hours a day  
198 on a regular basis, which supplements parental care, enrichment,  
199 and health supervision for the child, in accordance with his or  
200 her individual needs, and for which a payment, fee, or grant is  
201 made for care.202       (b) "Family child day care home" means an occupied  
203 residence in which child care is regularly provided for children

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

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

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

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

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

236 (a) Specifically covered in a policy; or

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

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

248 (a) The policyholder or applicant provides care for more  
249 children than authorized ~~for family day care homes~~ by s.  
250 402.302;

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

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

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

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262 representative which materially increase any of the risks  
263 insured.

264 Section 5. Paragraph (a) of subsection (1) of section  
265 1001.24, Florida Statutes, is amended to read:

266 1001.24 Direct-support organization; use of property; board  
267 of directors; audit.—

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

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

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

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

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

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

286 1002.95 Teacher Education and Compensation Helps (TEACH)  
287 Scholarship Program.—

288 (2) Subject to an appropriation, the administrator of the  
289 TEACH Scholarship Program shall also administer the Center for  
290 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.



LEGISLATIVE ACTION

Senate

House

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

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete everything after the enacting clause  
4 and insert:

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

7                   402.306 Designation of licensing agency; dissemination by  
8 the department and local licensing agency of information on  
9 child care.—

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



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

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

28 402.313 Family child day care homes.—

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

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

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



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



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

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

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

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

89 (5) In order to further develop their child care skills  
90 and, if appropriate, their administrative skills, operators of  
91 family child day care homes shall be required to complete an  
92 additional 1 continuing education unit of approved training or  
93 10 clock hours of equivalent training, as determined by the  
94 department, annually.

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



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

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

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

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

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

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



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

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

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

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

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

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

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

155 (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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185 standards should include requirements for staffing, training,  
186 maintenance of immunization records, minimum health and safety  
187 standards, reduced standards for the regulation of child care  
188 during evening hours by municipalities and counties, and  
189 enforcement of standards.

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

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

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

213 402.3131 Large family child care homes.—



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

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

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

237        402.316 Exemptions.—

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



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243 ~~care to eligible children as defined in s. 402.261(1)(c),~~  
244 conducting regularly scheduled classes, courses of study, or  
245 educational programs accredited by, or by a member of, an  
246 organization that ~~which~~ publishes and requires compliance with  
247 its standards for health, safety, and sanitation. ~~However,~~ Such  
248 facilities must ~~shall~~ meet minimum requirements of the  
249 applicable local governing body as to health, sanitation, and  
250 safety ~~and shall meet the screening requirements pursuant to ss.~~  
251 ~~402.305 and 402.3055~~. Failure by a facility to comply with ~~such~~  
252 screening requirements pursuant to ss. 402.305 and 402.3055  
253 shall result in the loss of the facility's exemption from  
254 licensure.

255 (2) The provisions of ss. 402.301-402.319, except for the  
256 requirements regarding screening of child care personnel  
257 pursuant to ss. 402.305 and 402.3055, do not apply to a child  
258 care facility that solely provides child care to eligible  
259 children as defined in s. 402.261(1)(c). Such facilities must  
260 meet minimum requirements of the applicable local governing body  
261 as to health, sanitation, and safety. Failure by a facility to  
262 comply with screening requirements pursuant to ss. 402.305 and  
263 402.3055 shall result in the loss of the facility's exemption  
264 from licensure.

265 (3)-(2) The provisions of ss. 402.301-402.319 do not apply  
266 to a child care facility or family ~~child~~ ~~day~~ care home if the  
267 child care facility or family ~~child~~ ~~day~~ care home has a  
268 certificate issued by the United States Department of Defense or  
269 by the United States Coast Guard to provide child care and has  
270 completed background screening by the United States Department  
271 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86



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

278 (4) (3) Any child care facility covered by the exemption  
279 under subsection (1) or subsection (2) which desires to be  
280 licensed may submit an application to the department or local  
281 licensing agency pursuant to s. 402.308(4).

282 (5) (4) The department and the local licensing agency  
283 pursuant to s. 402.308(4) shall adopt rules to administer and  
284 implement this section, including, but not limited to, any  
285 assessments of previous licensure history.

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

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

297 627.70161 Family child day care and large family child care  
298 insurance.—

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



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

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

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

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

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



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

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

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

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

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



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

367 (a) The policyholder or applicant provides care for more  
368 children than authorized ~~for family day care homes~~ by s.  
369 402.302;

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

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

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

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

385 1001.24 Direct-support organization; use of property; board  
386 of directors; audit.—

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



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388 term:

389 (a) "Department of Education direct-support organization"

390 means an organization:

391 1. That is a corporation not for profit that is

392 incorporated under the provisions of chapter 617 and approved by

393 the Department of State.

394 2. That is organized and operated exclusively to receive,

395 hold, invest, and administer property and to make expenditures

396 to or for the benefit of the state's early learning programs for

397 children from birth to 5 years of age and public prekindergarten

398 through 12th grade education in this state.

399 3. That the State Board of Education, after review, has

400 certified to be operating in a manner consistent with the goals

401 and best interest of the Department of Education.

402 (b) "Personal services" includes full-time or part-time

403 personnel, as well as payroll processing.

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

405 (a) May permit the use of property, facilities, and

406 personal services of the department by the direct-support

407 organization, subject to the provisions of this section.

408 (b) Shall prescribe by rule conditions with which the

409 direct-support organization must comply in order to use

410 property, facilities, or personal services of the department.

411 Such rules shall provide for budget and audit review and for

412 oversight by the department.

413 (c) Shall not permit the use of property, facilities, or

414 personal services of the direct-support organization if such

415 organization does not provide equal employment opportunities to

416 all persons, regardless of race, color, national origin, gender,



417 age, or religion.

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

422 (4) ANNUAL AUDIT.—Each direct-support organization shall  
423 provide for an annual financial audit in accordance with s.  
424 215.981. The identity of donors who desire to remain anonymous  
425 shall be protected, and that anonymity shall be maintained in  
426 the auditor's report. All records of the organization other than  
427 the auditor's report, management letter, and any supplemental  
428 data requested by the Auditor General and the Office of Program  
429 Policy Analysis and Government Accountability shall be  
430 confidential and exempt from the provisions of s. 119.07(1).

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

433 1002.80 Florida Endowment for Early Learning.—

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

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

437 (a) “Board” means the board of directors of the Department  
438 of Education direct-support organization under s. 1001.24.

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

444 (c) “Foundation” means the Department of Education direct-  
445 support organization under s. 1001.24.



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

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

459        Accordingly, the Legislature further finds and declares that:

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

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

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

473        (4) REVENUE FOR THE ENDOWMENT FUND.—

474        (a) The Florida Endowment for Early Learning is established



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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533 department.

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

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

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

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

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

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

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

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

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



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562 1002.82(7) summarizing the performance of the endowment fund for  
563 the previous fiscal year, summarizing the foundation's  
564 fundraising activities and performance, and detailing the  
565 activities and programs supported by the endowment principal or  
566 earnings on the endowment principal and the activities and  
567 programs supported by private sources, bequests, gifts, grants,  
568 donations, and other valued goods and services received. The  
569 report must also include all of the following:

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

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

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

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

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

583 1002.95 Teacher Education and Compensation Helps (TEACH)  
584 Scholarship Program.—

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



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

593 Section 9. Paragraph (a) of subsection (2) of section  
594 39.202, Florida Statutes, is amended to read:

595 39.202 Confidentiality of reports and records in cases of  
596 child abuse or neglect; exception.—

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

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

- 607 1. Child or adult protective investigations;
- 608 2. Ongoing child or adult protective services;
- 609 3. Early intervention and prevention services;
- 610 4. Healthy Start services;

611 5. Licensure or approval of adoptive homes, foster homes,  
612 child care facilities, facilities licensed under chapters 393  
613 and 394, family child day care homes, providers who receive  
614 school readiness funding under part VI of chapter 1002, or other  
615 homes used to provide for the care and welfare of children;

616 6. Employment screening for caregivers in residential group  
617 homes and facilities licensed under chapters 393, 394, and 409;  
618 or

- 619 7. Services for victims of domestic violence when provided



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620 by certified domestic violence centers working at the  
621 department's request as case consultants or with shared clients.  
622

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

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

628 125.0109 Family child day care homes; local zoning  
629 regulation.—The operation of a residence as a family child day  
630 care home, as defined by law, registered or licensed with the  
631 Department of Children and Families shall constitute a valid  
632 residential use for purposes of any local zoning regulations,  
633 and no such regulation shall require the owner or operator of  
634 such family child day care home to obtain any special exemption  
635 or use permit or waiver, or to pay any special fee in excess of  
636 \$50, to operate in an area zoned for residential use.

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

639 166.0445 Family child day care homes; local zoning  
640 regulation.—The operation of a residence as a family child day  
641 care home, as defined by law, registered or licensed with the  
642 Department of Children and Families shall constitute a valid  
643 residential use for purposes of any local zoning regulations,  
644 and no such regulation shall require the owner or operator of  
645 such family child day care home to obtain any special exemption  
646 or use permit or waiver, or to pay any special fee in excess of  
647 \$50, to operate in an area zoned for residential use.

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



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649 212.08, Florida Statutes, is amended to read:

650 212.08 Sales, rental, use, consumption, distribution, and  
651 storage tax; specified exemptions.—The sale at retail, the  
652 rental, the use, the consumption, the distribution, and the  
653 storage to be used or consumed in this state of the following  
654 are hereby specifically exempt from the tax imposed by this  
655 chapter.

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

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



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

690 Section 13. Subsections (3), (8), (9), and (11) of section  
691 402.302, Florida Statutes, are amended to read:

692 402.302 Definitions.—As used in this chapter, the term:

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



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

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



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

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

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

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

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

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

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



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765 ~~day~~ care home for 2 years, with an operator who has had a child  
766 development associate credential or its equivalent for 1 year,  
767 before seeking licensure as a large family child care home.  
768 Household children under 13 years of age, when on the premises  
769 of the large family child care home or on a field trip with  
770 children enrolled in child care, shall be included in the  
771 overall capacity of the licensed home. A large family child care  
772 home shall be allowed to provide care for one of the following  
773 groups of children, which shall include household children under  
774 13 years of age:

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

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

778 Section 14. Paragraph (a) of subsection (17) of section  
779 402.305, Florida Statutes, are amended to read:

780 402.305 Licensing standards; child care facilities.—

781 (17) TRANSFER OF OWNERSHIP.—

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

786 Section 15. Subsections (1), (2), and (3) of section  
787 402.309, Florida Statutes, are amended to read:

788 402.309 Provisional license or registration.—

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



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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823 (4) of section 402.310, Florida Statutes, are amended to read:  
824 402.310 Disciplinary actions; hearings upon denial,  
825 suspension, or revocation of license or registration;  
826 administrative fines.—

827 (1)

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

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

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

841 402.3115 Elimination of duplicative and unnecessary  
842 inspections; abbreviated inspections.—

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

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



852 conditions:

- 853 1. Have been licensed for at least 2 consecutive years.
- 854 2. Have not had a Class 1 deficiency, as defined by rule,  
for at least 2 consecutive years.
- 855 3. Have not had more than three of the same Class 2  
deficiencies, as defined by rule, for at least 2 consecutive  
years.
- 856 4. Have received at least two full onsite renewal  
inspections in the most recent 2 years.

- 857 5. Do not have any current uncorrected violations.
- 858 6. Do not have any open regulatory complaints or active  
child protective services investigations.

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

861 402.312 License required; injunctive relief.—  
862 (1) The operation of a child care facility without a  
863 license, a family child day care home without a license or  
864 registration, or a large family child care home without a  
865 license is prohibited. If the department or the local licensing  
866 agency discovers that a child care facility is being operated  
867 without a license, a family child day care home is being  
868 operated without a license or registration, or a large family  
869 child care home is being operated without a license, the  
870 department or local licensing agency is authorized to seek an  
871 injunction in the circuit court where the facility is located to  
872 enjoin continued operation of such facility, family child day  
873 care home, or large family child care home. When the court is  
874 closed for the transaction of judicial business, the department  
875 or local licensing agency is authorized to seek an emergency



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

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

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

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

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

899 (3) The department or local licensing agency may impose an  
900 administrative fine on any child care facility, family child ~~day~~  
901 care home, or large family child care home operating without a  
902 license or registration, consistent with ~~the provisions of~~ s.  
903 402.310.

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

906 402.315 Funding; license fees.—

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



910 and 402.3131.

911 (a) For a child care facility licensed pursuant to s. 912 402.305, such fee shall be \$1 per child, based on the licensed 913 capacity of the facility, except that the minimum fee shall be 914 \$25 per facility and the maximum fee shall be \$100 per facility.

915 (b) For a family child day care home registered pursuant to 916 s. 402.313, such fee shall be \$25.

917 (c) For a family child day care home licensed pursuant to 918 s. 402.313, such fee shall be \$50.

919 (d) For a large family child care home licensed pursuant to 920 s. 402.3131, such fee shall be \$60.

921 Section 20. Subsection (2) of section 402.316, Florida 922 Statutes, is amended to read:

923 402.316 Exemptions.—

924 (2) The provisions of ss. 402.301-402.319 do not apply to a 925 child care facility or family child day care home if the child 926 care facility or family child day care home has a certificate 927 issued by the United States Department of Defense or by the 928 United States Coast Guard to provide child care and has 929 completed background screening by the United States Department 930 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 931 and received a favorable suitability and fitness determination. 932 If the child care facility or family child day care home elects 933 to serve children ineligible for care under the United States 934 Department of Defense Instruction 6060.02, the child care 935 facility or family child day care home must be licensed under 936 this chapter.

937 Section 21. Section 402.318, Florida Statutes, is amended 938 to read:



939        402.318 Advertisement.—A person, as defined in s. 1.01(3),  
940 may not advertise a child care facility, family child day care  
941 home, or large family child care home without including within  
942 such advertisement the state or local agency license number or  
943 registration number of such facility or home. Violation of this  
944 section is a misdemeanor of the first degree, punishable as  
945 provided in s. 775.082 or s. 775.083.

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

948        402.319 Penalties.—

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

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

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

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

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



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968 revoked, or terminated.

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

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

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

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

983 3. The qualifications or credentials of child care  
984 personnel;

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

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

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



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

1000 (3) Each child care facility, family child day care home,  
1001 and large family child care home shall annually submit an  
1002 affidavit of compliance with s. 39.201.

1003 Section 23. Paragraph (c) of subsection (2) of section  
1004 409.988, Florida Statutes, is amended to read:

1005 409.988 Community-based care lead agency duties; general  
1006 provisions.—

1007 (2) LICENSURE.—

1008 (c) Substitute care providers who are licensed under s.  
1009 409.175 and who have contracted with a lead agency are also  
1010 authorized to provide registered or licensed family child day  
1011 care under s. 402.313 if such care is consistent with federal  
1012 law and if the home has met the requirements of s. 402.313.

1013 Section 24. Paragraph (b) of subsection (8) of section  
1014 411.203, Florida Statutes, is amended to read:

1015 411.203 Continuum of comprehensive services.—The Department  
1016 of Education and the Department of Health shall utilize the  
1017 continuum of prevention and early assistance services for high-  
1018 risk pregnant women and for high-risk and handicapped children  
1019 and their families, as outlined in this section, as a basis for  
1020 the intraagency and interagency program coordination,  
1021 monitoring, and analysis required in this chapter. The continuum  
1022 shall be the guide for the comprehensive statewide approach for  
1023 services for high-risk pregnant women and for high-risk and  
1024 handicapped children and their families, and may be expanded or  
1025 reduced as necessary for the enhancement of those services.



1026 Expansion or reduction of the continuum shall be determined by  
1027 intraagency or interagency findings and agreement, whichever is  
1028 applicable. Implementation of the continuum shall be based upon  
1029 applicable eligibility criteria, availability of resources, and  
1030 interagency prioritization when programs impact both agencies,  
1031 or upon single agency prioritization when programs impact only  
1032 one agency. The continuum shall include, but not be limited to:

1033 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS  
1034 OF HIGH-RISK CHILDREN.—

1035 (b) Child care and early childhood programs, including, but  
1036 not limited to, licensed child care facilities, family child day  
1037 care homes, therapeutic child care, Head Start, and preschool  
1038 programs in public and private schools.

1039 Section 25. Paragraph (a) of subsection (3) of section  
1040 1002.55, Florida Statutes, is amended to read:

1041 1002.55 School-year prekindergarten program delivered by  
1042 private prekindergarten providers.—

1043 (3) To be eligible to deliver the prekindergarten program,  
1044 a private prekindergarten provider must meet each of the  
1045 following requirements:

1046 (a) The private prekindergarten provider must be a child  
1047 care facility licensed under s. 402.305, family child day care  
1048 home licensed under s. 402.313, large family child care home  
1049 licensed under s. 402.3131, nonpublic school exempt from  
1050 licensure under s. 402.3025(2), faith-based child care provider  
1051 exempt from licensure under s. 402.316, child development  
1052 program that is accredited by a national accrediting body and  
1053 operates on a military installation that is certified by the  
1054 United States Department of Defense, or private prekindergarten



1055 provider that has been issued a provisional license under s.  
1056 402.309. A private prekindergarten provider may not deliver the  
1057 program while holding a probation-status license under s.  
1058 402.310.

1059       Section 26. Paragraph (u) of subsection (2) of section  
1060 1002.82, Florida Statutes, is amended to read:

1061       1002.82 Department of Education; powers and duties.—

1062       (2) The department shall:

1063       (u) Administer a statewide toll-free Warm-Line to provide  
1064 assistance and consultation to child care facilities and family  
1065 child day care homes regarding health, developmental,  
1066 disability, and special needs issues of the children they are  
1067 serving, particularly children with disabilities and other  
1068 special needs. The department shall:

1069       1. Annually inform child care facilities and family child  
1070 day care homes of the availability of this service through the  
1071 child care resource and referral network under s. 1002.92.

1072       2. Expand or contract for the expansion of the Warm-Line to  
1073 maintain at least one Warm-Line in each early learning coalition  
1074 service area.

1075       Section 27. Paragraph (j) of subsection (4) of section  
1076 1002.83, Florida Statutes, is amended to read:

1077       1002.83 Early learning coalitions.—

1078       (4) Each early learning coalition must include the  
1079 following member positions; however, in a multicounty coalition,  
1080 each ex officio member position may be filled by multiple  
1081 nonvoting members but no more than one voting member shall be  
1082 seated per member position. If an early learning coalition has  
1083 more than one member representing the same entity, only one of



1084 such members may serve as a voting member:

1085 (j) A representative of private for-profit child care  
1086 providers, including private for-profit family child day care  
1087 homes.

1088 Section 28. Subsection (4) of section 1002.84, Florida  
1089 Statutes, is amended to read:

1090 1002.84 Early learning coalitions; school readiness powers  
1091 and duties.—Each early learning coalition shall:

1092 (4) Establish a regional Warm-Line as directed by the  
1093 department pursuant to s. 1002.82(2) (u). Regional Warm-Line  
1094 staff shall provide onsite technical assistance, when requested,  
1095 to assist child care facilities and family child day care homes  
1096 with inquiries relating to the strategies, curriculum, and  
1097 environmental adaptations the child care facilities and family  
1098 child day care homes may need as they serve children with  
1099 disabilities and other special needs.

1100 Section 29. Paragraphs (a) and (c) of subsection (1) of  
1101 section 1002.88, Florida Statutes, are amended to read:

1102 1002.88 School readiness program provider standards;  
1103 eligibility to deliver the school readiness program.—

1104 (1) To be eligible to deliver the school readiness program,  
1105 a school readiness program provider must:

1106 (a) Be a child care facility licensed under s. 402.305, a  
1107 family child day care home licensed or registered under s.  
1108 402.313, a large family child care home licensed under s.  
1109 402.3131, a public school or nonpublic school exempt from  
1110 licensure under s. 402.3025, a faith-based child care provider  
1111 exempt from licensure under s. 402.316, a before-school or  
1112 after-school program described in s. 402.305(1) (c), a child



1113 development program that is accredited by a national accrediting  
1114 body and operates on a military installation that is certified  
1115 by the United States Department of Defense, an informal child  
1116 care provider to the extent authorized in the state's Child Care  
1117 and Development Fund Plan as approved by the United States  
1118 Department of Health and Human Services pursuant to 45 C.F.R. s.  
1119 98.18, or a provider who has been issued a provisional license  
1120 pursuant to s. 402.309. A provider may not deliver the program  
1121 while holding a probation-status license under s. 402.310.

1122 (c) Provide basic health and safety of its premises and  
1123 facilities and compliance with requirements for age-appropriate  
1124 immunizations of children enrolled in the school readiness  
1125 program.

1126 1. For a provider that is licensed, compliance with s.  
1127 402.305, s. 402.3131, or s. 402.313 and this subsection, as  
1128 verified pursuant to s. 402.311, satisfies this requirement.

1129 2. For a provider that is a registered family child day  
1130 care home or is not subject to licensure or registration by the  
1131 Department of Children and Families, compliance with this  
1132 subsection, as verified pursuant to s. 402.311, satisfies this  
1133 requirement. Upon verification pursuant to s. 402.311, the  
1134 provider shall annually post the health and safety checklist  
1135 adopted by the department prominently on its premises in plain  
1136 sight for visitors and parents and shall annually submit the  
1137 checklist to its local early learning coalition.

1138 3. For a child development program that is accredited by a  
1139 national accrediting body and operates on a military  
1140 installation that is certified by the United States Department  
1141 of Defense, the submission and verification of annual



1142 inspections pursuant to United States Department of Defense  
1143 Instructions 6060.2 and 1402.05 satisfies this requirement.

1144 Section 30. Paragraph (c) of subsection (2) of section  
1145 1002.895, Florida Statutes, is amended to read:

1146 1002.895 Market rate schedule.—The school readiness program  
1147 market rate schedule shall be implemented as follows:

1148 (2) The market rate schedule must differentiate rates by  
1149 provider type, including, but not limited to:

1150 (c) Family child day care homes licensed or registered  
1151 under s. 402.313.

1152 Section 31. Paragraph (a) of subsection (3) and subsection  
1153 (4) of section 1002.92, Florida Statutes, are amended to read:

1154 1002.92 Child care and early childhood resource and  
1155 referral.—

1156 (3) Child care resource and referral agencies shall provide  
1157 the following services:

1158 (a) Identification of existing public and private child  
1159 care and early childhood education services, including child  
1160 care services by public and private employers, and the  
1161 development of an early learning provider performance profile of  
1162 those services through the single statewide information system  
1163 developed by the department under s. 1002.82(2)(q). These  
1164 services may include family child day care, public and private  
1165 child care programs, the Voluntary Prekindergarten Education  
1166 Program, Head Start, the school readiness program, special  
1167 education programs for prekindergarten children with  
1168 disabilities, services for children with developmental  
1169 disabilities, full-time and part-time programs, before-school  
1170 and after-school programs, and vacation care programs. The early



1171 learning provider performance profile shall include, but not be  
1172 limited to:

1173 1. Type of program.

1174 2. Hours of service.

1175 3. Ages of children served.

1176 4. Number of children served.

1177 5. Program information.

1178 6. Fees and eligibility for services.

1179 7. Availability of transportation.

1180 8. Participation in the Child Care Food Program, if  
1181 applicable.

1182 9. A link to licensing inspection reports, if applicable.

1183 10. The components of the Voluntary Prekindergarten  
1184 Education Program performance metric calculated under s. 1002.68  
1185 which must consist of the program assessment composite score,  
1186 learning gains score, achievement score, and its designations,  
1187 if applicable.

1188 11. The school readiness program assessment composite score  
1189 and program assessment care level composite score results  
1190 delineated by infant classrooms, toddler classrooms, and  
1191 preschool classrooms results under s. 1002.82, if applicable.

1192 12. Gold Seal Quality Care designation under s. 1002.945,  
1193 if applicable.

1194 13. Indication of whether the provider implements a  
1195 curriculum approved by the department and the name of the  
1196 curriculum, if applicable.

1197 14. Participation in school readiness child assessment  
1198 under s. 1002.82.

1199 (4) A child care facility licensed under s. 402.305 and



1200 licensed and registered family child day care homes must provide  
1201 the statewide child care and resource and referral network with  
1202 the following information annually:

- 1203 (a) Type of program.
- 1204 (b) Hours of service.
- 1205 (c) Ages of children served.
- 1206 (d) Fees and eligibility for services.

1207 Section 32. Subsection (2) of section 1002.93, Florida  
1208 Statutes, is amended to read:

1209 1002.93 School readiness program transportation services.—

1210 (2) The transportation servicers may only provide  
1211 transportation to each child participating in the school  
1212 readiness program to the extent that such transportation is  
1213 necessary to provide child care opportunities that otherwise  
1214 would not be available to a child whose home is more than a  
1215 reasonable walking distance from the nearest child care facility  
1216 or family child day care home.

1217 Section 33. Paragraph (b) of subsection (1), paragraphs (a)  
1218 and (c) of subsection (3), and subsection (4) of section  
1219 1002.945, Florida Statutes, are amended to read:

1220 1002.945 Gold Seal Quality Care Program.—

1221 (1)

1222 (b) A child care facility, large family child care home, or  
1223 family child day care home that is accredited by an accrediting  
1224 association approved by the Department of Education under  
1225 subsection (3) and meets all other requirements shall, upon  
1226 application to the department, receive a separate "Gold Seal  
1227 Quality Care" designation.

1228 (3) (a) In order to be approved by the Department of



1229 Education for participation in the Gold Seal Quality Care  
1230 Program, an accrediting association must apply to the department  
1231 and demonstrate that it:

1232 1. Is a recognized accrediting association.

1233 2. Has accrediting standards that substantially meet or  
1234 exceed the Gold Seal Quality Care standards adopted by the state  
1235 board under subsection (2).

1236 3. Is a registered corporation with the Department of  
1237 State.

1238 4. Can provide evidence that the process for accreditation  
1239 has, at a minimum, all of the following components:

1240 a. Clearly defined prerequisites that a child care provider  
1241 must meet before beginning the accreditation process. However,  
1242 accreditation may not be granted to a child care facility, large  
1243 family child care home, or family child day care home before the  
1244 site is operational and is attended by children.

1245 b. Procedures for completion of a self-study and  
1246 comprehensive onsite verification process for each classroom  
1247 that documents compliance with accrediting standards.

1248 c. A training process for accreditation verifiers to ensure  
1249 inter-rater reliability.

1250 d. Ongoing compliance procedures that include requiring  
1251 each accredited child care facility, large family child care  
1252 home, and family child day care home to file an annual report  
1253 with the accrediting association and risk-based, onsite auditing  
1254 protocols for accredited child care facilities, large family  
1255 child care homes, and family child day care homes.

1256 e. Procedures for the revocation of accreditation due to  
1257 failure to maintain accrediting standards as evidenced by sub-



1258 subparagraph d. or any other relevant information received by  
1259 the accrediting association.

1260 f. Accreditation renewal procedures that include an onsite  
1261 verification occurring at least every 5 years.

1262 g. A process for verifying continued accreditation  
1263 compliance in the event of a transfer of ownership of  
1264 facilities.

1265 h. A process to communicate issues that arise during the  
1266 accreditation period with governmental entities that have a  
1267 vested interest in the Gold Seal Quality Care Program, including  
1268 the Department of Education, the Department of Children and  
1269 Families, the Department of Health, local licensing entities if  
1270 applicable, and the early learning coalition.

1271 (c) If an accrediting association has granted accreditation  
1272 to a child care facility, large family child care home, or  
1273 family child day care under fraudulent terms or failed to  
1274 conduct onsite verifications, the accrediting association shall  
1275 be liable for the repayment of any rate differentials paid under  
1276 subsection (6).

1277 (4) In order to obtain and maintain a designation as a Gold  
1278 Seal Quality Care provider, a child care facility, large family  
1279 child care home, or family child day care home must meet the  
1280 following additional criteria:

1281 (a) The child care provider must not have had any class I  
1282 violations, as defined by rule of the Department of Children and  
1283 Families, within the 2 years preceding its application for  
1284 designation as a Gold Seal Quality Care provider. Commission of  
1285 a class I violation shall be grounds for termination of the  
1286 designation as a Gold Seal Quality Care provider until the



1287 provider has no class I violations for a period of 2 years.

1288 (b) The child care provider must not have had three or more  
1289 of the same class II violations, as defined by rule of the  
1290 Department of Children and Families, within the 2 years  
1291 preceding its application for designation as a Gold Seal Quality  
1292 Care provider. Commission of three or more of the same class II  
1293 violations within a 2-year period shall be grounds for  
1294 termination of the designation as a Gold Seal Quality Care  
1295 provider until the provider has no class II violations that are  
1296 the same for a period of 1 year.

1297 (c) The child care provider must not have been cited for  
1298 the same class III violation, as defined by rule of the  
1299 Department of Children and Families, three or more times and  
1300 failed to correct the violation within 1 year after the date of  
1301 each citation, within the 2 years preceding its application for  
1302 designation as a Gold Seal Quality Care provider. Commission of  
1303 the same class III violation three or more times and failure to  
1304 correct within the required time during a 2-year period may be  
1305 grounds for termination of the designation as a Gold Seal  
1306 Quality Care provider until the provider has no class III  
1307 violations for a period of 1 year.

1308 (d) Notwithstanding paragraph (a), if the Department of  
1309 Education determines through a formal process that a provider  
1310 has been in business for at least 5 years and has no other class  
1311 I violations recorded, the department may recommend to the state  
1312 board that the provider maintain its Gold Seal Quality Care  
1313 status. The state board's determination regarding such  
1314 provider's status is final.

1315 Section 34. This act shall take effect July 1, 2026.



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1316  
1317 ===== T I T L E A M E N D M E N T =====  
1318 And the title is amended as follows:  
1319 Delete everything before the enacting clause  
1320 and insert:  
1321 A bill to be entitled  
1322 An act relating to child care and early learning  
1323 services; amending s. 402.306, F.S.; revising the  
1324 information on child care required to be disseminated  
1325 electronically to the community; amending ss. 402.313  
1326 and 402.3131, F.S.; deleting the requirement that  
1327 family child care homes and large family child care  
1328 homes, respectively, provide specified information to  
1329 parents each year; conforming provisions to changes  
1330 made by the act; amending s. 402.316, F.S.; requiring  
1331 that certain child care facilities exempt from  
1332 licensure requirements meet certain minimum  
1333 requirements; providing that failure to meet such  
1334 minimum requirements results in the loss of the  
1335 exemption from licensure; requiring child care  
1336 facilities exempt from licensure requirements to  
1337 include a specified statement on its website and in  
1338 its promotional materials and facility-created  
1339 documents and forms provided to families served by the  
1340 child care facility; amending s. 627.70161, F.S.;  
1341 changing the term "family day care home" to "family  
1342 child care home"; providing legislative findings and  
1343 intent relating to large family child care homes;  
1344 defining the term "large family child care home";



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



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.)

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

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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        |             |

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## **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 cancellation, 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 administer 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.<sup>1</sup> 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.<sup>2</sup>

The child care licensing program is administered by the DCF and is accountable for the statewide licensure of Florida's child care facilities,<sup>3</sup> large family child care homes,<sup>4</sup> and the licensure or registration of family day care homes.<sup>5</sup> Licensing standards for child care facilities must address personnel qualifications, health and safety requirements, sanitation, emergency preparedness, and training, including cardiopulmonary resuscitation requirements.<sup>6</sup> 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.<sup>7</sup>

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.<sup>8</sup>

### 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.<sup>9</sup> 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

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<sup>1</sup> Section 402.302(1), F.S.

<sup>2</sup> Sections 402.301-402.319, F.S.

<sup>3</sup> Section 402.305, F.S.

<sup>4</sup> Section 402.3131, F.S.

<sup>5</sup> Section 402.313, F.S.

<sup>6</sup> Section 402.305, F.S.

<sup>7</sup> Section 402.305(7), F.S.

<sup>8</sup> *Id.*

<sup>9</sup> Section 402.302(3), F.S.

activities related to a school's program for grades kindergarten through 12.<sup>10</sup> Personnel screening is conducted pursuant to Level 2 background screening requirements under Chapter 435, F.S.,<sup>11</sup> 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.<sup>12</sup>

## **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.<sup>13</sup> 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.<sup>14</sup> 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.<sup>15</sup>

#### **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

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<sup>10</sup> *Id.*

<sup>11</sup> Section 402.305(2), F.S.

<sup>12</sup> Sections 402.302(15), and 435.04, F.S.

<sup>13</sup> Section 402.302(2), F.S.

<sup>14</sup> Section 402.302(2)(a), F.S.

<sup>15</sup> 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.<sup>16</sup>

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.<sup>17</sup> 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.<sup>18</sup> A school-age child is a child who is at least five years of age by September 1<sup>st</sup> of the beginning of the school year and who attends grades kindergarten or above.<sup>19</sup> A school-age child care program must be licensed as a child care provider unless the program demonstrates that it is exempt from licensure.<sup>20</sup> 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 requirements<sup>21</sup> and meets the following conditions:<sup>22</sup>

- **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;

<sup>16</sup> Section 402.3025(2)(c), F.S.

<sup>17</sup> Section 402.3025(1)(b), F.S.

<sup>18</sup> 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).

<sup>19</sup> *Id.*

<sup>20</sup> Rule 65C-22.008, F.A.C.

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

<sup>22</sup> 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.<sup>23</sup>

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<sup>23</sup> 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.<sup>24</sup> Florida law establishes tiered capacity limits for family day care homes based on the number and ages of children in care.<sup>25</sup>

- 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.<sup>26</sup> 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.<sup>27</sup> 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.<sup>28</sup> 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.<sup>29</sup> 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.<sup>30</sup>

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.<sup>31</sup>

### **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.<sup>32</sup> 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

<sup>24</sup> Sections 402.302(8) and 402.313, F.S.

<sup>25</sup> Sections 402.302(8), F.S.

<sup>26</sup> *Id.*

<sup>27</sup> Sections 402.302(11) and 402.3131, F.S.

<sup>28</sup> Section 402.302(11), F.S.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> Section 402.3131(9)-(10), F.S.

<sup>32</sup> Section 627.70161(1), F.S.

coverage is specifically included by endorsement.<sup>33</sup> 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.<sup>34</sup> 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.<sup>35</sup>

### ***Early Learning Programs***

Florida also operates early learning and child care assistance programs, such as the School Readiness Program<sup>36</sup> and the Voluntary Prekindergarten (VPK) Education Program.<sup>37</sup> 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.<sup>38</sup> 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.<sup>39</sup> 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.<sup>40</sup>

### ***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.<sup>41</sup> The scholarship is available to Florida-resident teachers, directors, and family child

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<sup>33</sup> Section 627.70161(3), F.S.

<sup>34</sup> Section 627.70161(4), F.S.

<sup>35</sup> 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](https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2024%20florida%20education%20foundation.pdf) (last visited January 29, 2026).

<sup>36</sup> Sections 1002.81-1002.995, F.S.

<sup>37</sup> Sections 1002.51-1002.79, F.S.

<sup>38</sup> 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.fl DOE.org/schools/early-learning/parents/vpk-parents.shtml> (last visited January 29, 2026).

<sup>39</sup> *Id.*

<sup>40</sup> Sections 1002.81 and 1002.87, F.S.

<sup>41</sup> 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.<sup>42</sup>

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.<sup>43</sup>

### ***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.<sup>44</sup> 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

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<sup>42</sup> 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).

<sup>43</sup> *Id.*

<sup>44</sup> 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.<sup>45</sup>

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.

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<sup>45</sup> 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

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

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30  
31       Section 1. Subsection (6) is added to section 39.4085,  
32 Florida Statutes, to read:

33       39.4085 Goals for dependent children; responsibilities;  
34 education; Office of the Children's Ombudsman.—

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

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

55       (c) By February 1 and August 1 of each year, beginning in  
56 2027, the department and each community-based care lead agency  
57 must make publicly accessible on their respective websites a  
58 report that outlines how the department and the community-based

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

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

66 409.145 Care of children; "reasonable and prudent parent"  
67 standard.—The child welfare system of the department shall  
68 operate as a coordinated community-based system of care which  
69 empowers all caregivers for children in foster care to provide  
70 quality parenting, including approving or disapproving a child's  
71 participation in activities based on the caregiver's assessment  
72 using the "reasonable and prudent parent" standard.

73 (2) REASONABLE AND PRUDENT PARENT STANDARD.—

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

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

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

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

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

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

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

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

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

98        (5) CASH ALLOWANCE.—

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

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

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

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

115        (c) In addition to providing the allowance required under  
116        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.)

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

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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        |             |

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### **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.<sup>1</sup> Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations.<sup>2</sup> The Department of Children and Families (DCF) and community-based care (CBC) lead agencies<sup>3</sup> 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.<sup>4</sup>

Child welfare services are directed toward the prevention of child abuse, abandonment, and neglect.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> Additionally, the department is responsible for all program oversight and the overall performance of the child welfare system.<sup>8</sup>

### 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.<sup>9</sup> 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.

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<sup>1</sup> Chapter 39, F.S.

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

<sup>3</sup> 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.*

<sup>4</sup> Chapter 39, F.S.

<sup>5</sup> Section 39.001, F.S.

<sup>6</sup> 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).

<sup>7</sup> Section 39.101, F.S.

<sup>8</sup> *Id.*

<sup>9</sup> 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.<sup>10</sup>

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

### ***Community-Based Care System***

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

- 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.<sup>14</sup> 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:<sup>15</sup>

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<sup>10</sup> 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](https://www.myflfamilies.com/sites/default/files/2022-12/FLCSPRACTICEMODEL_0.pdf) (last visited 1/16/26).

<sup>11</sup> Section 20.19(1)(c), F.S.

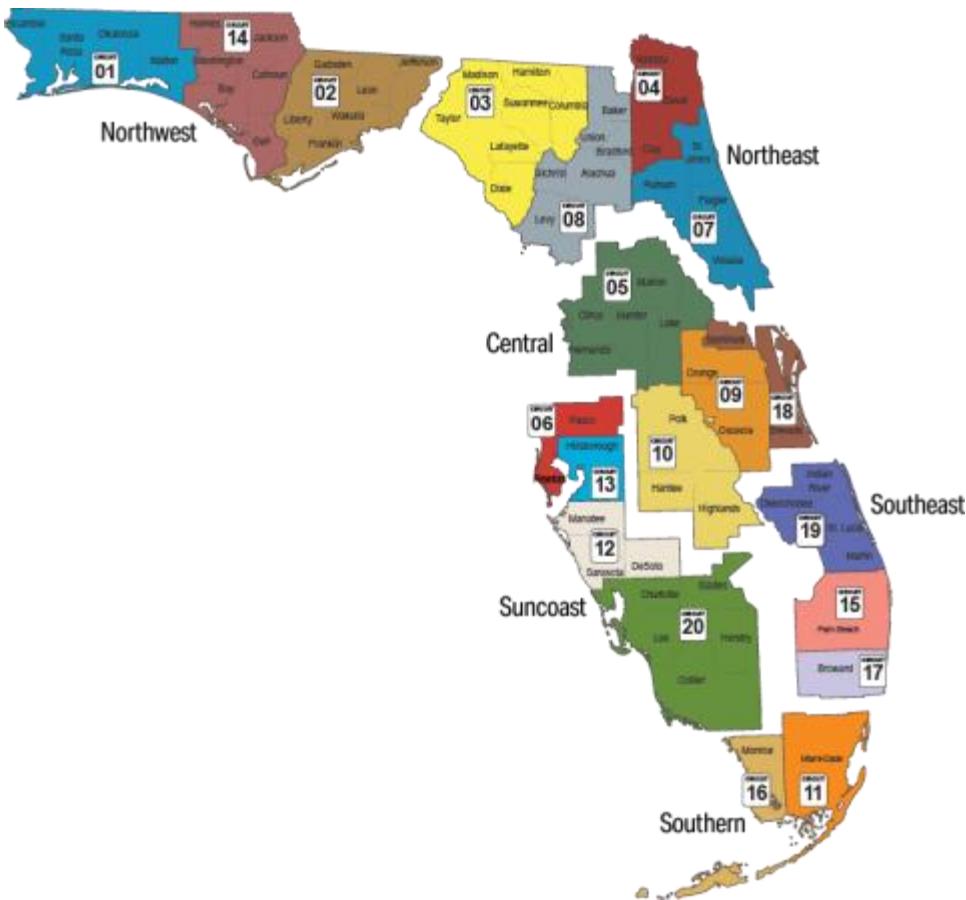
<sup>12</sup> Part V of ch. 409, F.S. and s. 409.986(1)(a), F.S.

<sup>13</sup> Section 409.145 (1), F.S.

<sup>14</sup> Section 409.988(3), F.S.

<sup>15</sup> 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.<sup>16</sup>

### 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.<sup>17</sup>

<sup>16</sup> 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).

<sup>17</sup> 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.<sup>18</sup>

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

- 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.<sup>20</sup>

### ***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,<sup>21</sup> abandonment,<sup>22</sup> or neglect,<sup>23</sup> or

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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.

<sup>18</sup> 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.

<sup>19</sup> Section 39.01(15), F.S.

<sup>20</sup> Section 39.501, F.S.

<sup>21</sup> 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.

<sup>22</sup> Section 39.01(1), F.S. defines "abandoned" or "abandonment" as a situation in which the parent or legal custodian of a child or, 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.

<sup>23</sup> 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.<sup>24</sup> 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.<sup>25</sup>

If the hotline counselor determines a report meets the definition of abuse, abandonment, or neglect, the report is accepted for a protective investigation.<sup>26</sup> 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.<sup>27</sup>

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.<sup>28</sup>

### ***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.<sup>29</sup> 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.<sup>30</sup>

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.<sup>31</sup> 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

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

<sup>24</sup> Section 39.201(1), F.S.

<sup>25</sup> Section 39.101(1), F.S.

<sup>26</sup> Section 39.201(4)(a), F.S.

<sup>27</sup> Section 39.101(2), F.S.

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

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

<sup>30</sup> 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).

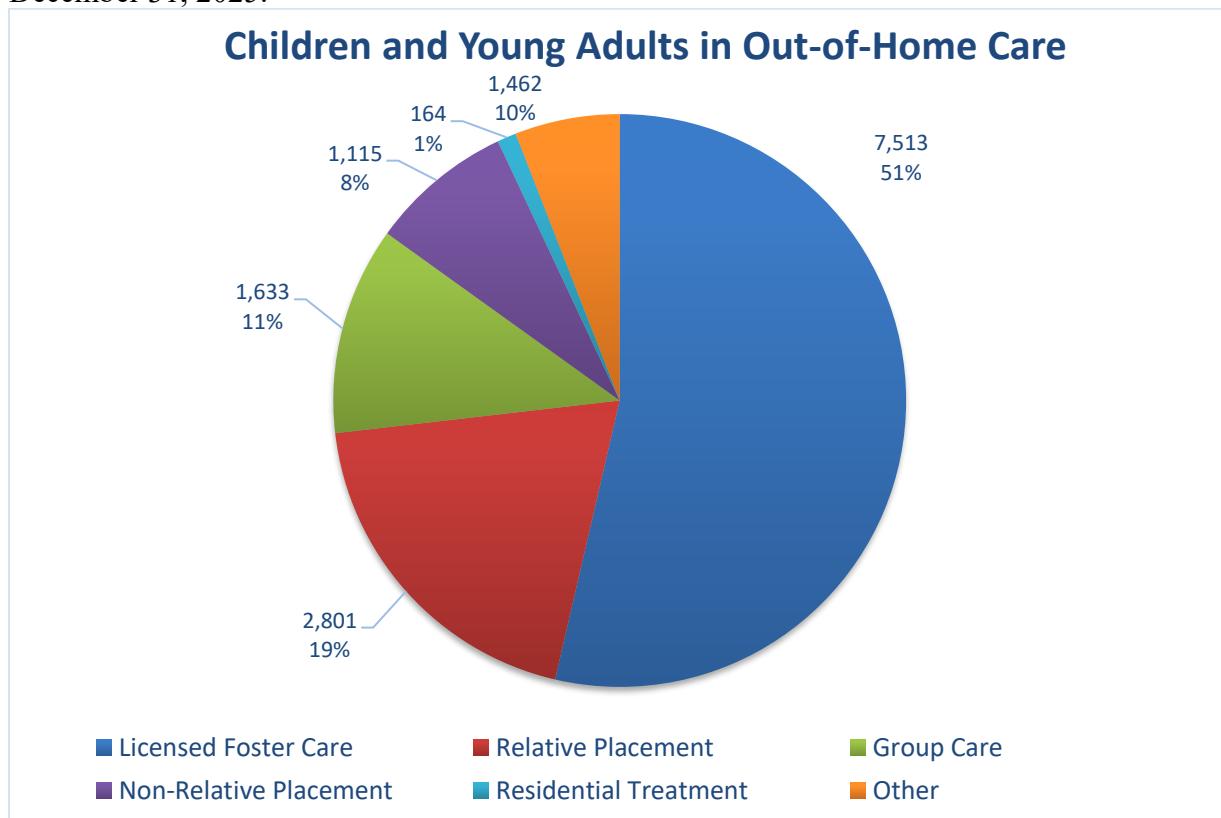
<sup>31</sup> Section 39.4021, F.S.

adoption, if reunification is not attainable.<sup>32</sup> 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.<sup>33</sup>

### 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.<sup>34</sup>



<sup>32</sup> 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).

<sup>33</sup> Section 39.4021, F.S.

<sup>34</sup> 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.<sup>35</sup>

| <b>Licensed Care Placements</b>                              |   |
|--|---|
| <b>Placement Type</b>  | <b>Description</b>  |
| 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.<sup>36</sup> Placing a child in the home of a relative or fictive kin<sup>37</sup> is referred to as “kinship care” and is generally praised for improving the outcomes of children in out-of-home care.<sup>38</sup>

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.<sup>39</sup> Such family finding efforts must begin as soon as the child is taken into the custody of the department.<sup>40</sup>

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.<sup>41</sup>

<sup>35</sup> 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).

<sup>36</sup> Section 39.4015, F.S.

<sup>37</sup> “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.

<sup>38</sup> 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/](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).

<sup>39</sup> Section 39.4015, F.S.

<sup>40</sup> *Id.*

<sup>41</sup> 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 expanded<sup>42</sup> 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.<sup>43</sup>

Generally, the program provides RCP payments to relatives<sup>44</sup> 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.<sup>45</sup>

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.<sup>46</sup>

Those participating in the RCP are not required to meet foster care licensing requirements.<sup>47</sup> 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*.<sup>48</sup> 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.<sup>49</sup>

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<sup>42</sup> Ch. 2024-68, L.O.F.

<sup>43</sup> Ch. 98-78, L.O.F.

<sup>44</sup> 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.

<sup>45</sup> Section 39.5085(2)(a), F.S.

<sup>46</sup> Section 39.5085(2)(d)2., F.S.

<sup>47</sup> Section 39.5085(2)(c), F.S.

<sup>48</sup> Section 39.5085(2)(d)1., F.S.

<sup>49</sup> *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:<sup>50</sup>

- 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.<sup>51</sup> The following chart displays the room and board rate adjustments since 2022:

| <b>Room and Board Rate Increases 2022-2025</b> |  |  |  |  |
|--|--|--|--|--|
| <b>Age Range</b>                               | <b>2022 Room and Board Rate<sup>52</sup></b> | <b>2023 Room and Board Rate<sup>53</sup></b> | <b>2024 Room and Board Rate<sup>54</sup></b> | <b>2025 Room and Board Rate<sup>55</sup></b> |
| 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.<sup>56</sup> 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

<sup>50</sup> Section 409.145(3), F.S.

<sup>51</sup> Section 409.145(3), F.S.

<sup>52</sup> 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](https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf) (last visited 1/27/26).

<sup>53</sup> 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](https://www.myflfamilies.com/sites/default/files/2023-06/20230206-Memo_2023_FP_COLA.pdf) (last visited 1/27/26).

<sup>54</sup> 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%20%202025.pdf> (last visited 1/27/26).

<sup>55</sup> 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%20%202025.pdf> (last visited 1/27/26).

<sup>56</sup> Section 409.145(3)(d), F.S.

annually.<sup>57</sup> 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.<sup>58</sup> 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.<sup>59</sup>

Once in the foster care system, experiencing multiple placement disruptions has been associated with negative effects on a child's emotional and social health.<sup>60</sup> 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.<sup>61</sup> 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.<sup>62</sup> 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.<sup>63</sup> 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.<sup>64</sup> 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.<sup>65</sup>

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

<sup>57</sup> *Id.*

<sup>58</sup> 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>

<sup>59</sup> *Id.*

<sup>60</sup> Carolien Konijn, Sabine Admiraal, Josefine Baart, Floor van Rooij, Geert-Jan Stams, Cristina Colonesi, 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.chillyouth.2018.12.002>.

<sup>61</sup> 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](https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf) (last visited 1/16/26).

<sup>62</sup> *Id.*

<sup>63</sup> Ch. 2013-21, L.O.F.

<sup>64</sup> 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](https://jlc.org/sites/default/files/publication_pdfs/JLC-NormalcyGuide-2015FINAL.pdf) (last visited 1/16/26).

<sup>65</sup> 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.<sup>66</sup> 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:<sup>67</sup>

- 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.<sup>68</sup> Such allowance should be provided at least monthly, should not be tied to behavior or the completion of chores or withheld as punishment.<sup>69</sup> Additionally, children should not be expected to use such an allowance to purchase personal hygiene items, school supplies, clothing, or other necessities.<sup>70</sup>

Current administrative rule does not dictate the amount of allowance each youth should receive.<sup>71</sup> 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.<sup>72</sup>

### **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.<sup>73</sup> To receive such reimbursement, states must follow a Title IV-E State Plan that is approved by the federal government.<sup>74</sup> For Fiscal Year 2026, Florida received \$70,173,155 for the Title IV-E Foster Care Program.<sup>75</sup>

<sup>66</sup> Section 409.145(2)(a)3., F.S.

<sup>67</sup> Section 409.145(2)(b), F.S.

<sup>68</sup> 65C-28.009(9), F.A.C.

<sup>69</sup> 65C-28.009(9)(d), F.A.C.

<sup>70</sup> *Id.*

<sup>71</sup> See generally, 65C-28.009, F.A.C.

<sup>72</sup> 65C-28.009(9)(b), F.A.C.

<sup>73</sup> 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).

<sup>74</sup> 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).

<sup>75</sup> 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.<sup>76</sup> 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.<sup>77</sup>

### 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.<sup>78</sup> Each state varies in the services funded by the Chafee program, and are often based on the individual needs of a young adult.<sup>79</sup> In Fiscal Year 2025, Florida received \$7,142,900 from the John H. Chafee Foster Care Program funds.<sup>80</sup>

### **Lived Experience in Child Welfare**

Lived experience refers to the knowledge an individual has of a particular system, due to their personal involvement.<sup>81</sup> 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.<sup>82</sup> In recent years, there has been an increased focus on engaging with individuals with lived experience in the child welfare system nationwide.<sup>83</sup>

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<sup>76</sup> 42 U.S.C. 675(4)(A)

<sup>77</sup> 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).

<sup>78</sup> 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).

<sup>79</sup> *Id.*

<sup>80</sup> 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](https://taggs.hhs.gov/Detail/CFDADetail?arg_CFDA_NUM=93674&utm_source=chatgpt.com) (last visited 1/28/26).

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

<sup>82</sup> 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).

<sup>83</sup> 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.<sup>84</sup> 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.<sup>85</sup> 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.<sup>86</sup> Individuals may be a voting member, non-voting member, of an officer, based on their age, as described below.<sup>87</sup>

- 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:<sup>88</sup>

- **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.

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<sup>84</sup> 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).

<sup>85</sup> *Id.*

<sup>86</sup> 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).

<sup>87</sup> *Id.*

<sup>88</sup> 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.<sup>89</sup>

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:<sup>90</sup>

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      |

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

<sup>90</sup> 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        |
| <b>Total</b>                 |                    |                                  |                | <b>\$6,047,444</b> |

**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.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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

66       (16) ~~(14)~~ IMPLEMENTATION.—

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

80       (b) To implement this section for the Florida Children's  
81 Initiatives listed in this section, the department shall  
82 contract with a not-for-profit corporation, to work in  
83 collaboration with the governing body to adopt the resolution  
84 described in subsection (4), to establish the planning team as  
85 provided in subsection (5), and to develop and adopt the  
86 strategic community plan as provided in subsection (6). The not-  
87 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.)

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

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BILL: SB 1022

INTRODUCER: Senator Polsky

SUBJECT: Children's Initiatives

DATE: February 2, 2026

REVISED: \_\_\_\_\_

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION             |
|---------|----------------|-----------|--------------------|
| 1. Rao  | Tuszynski      | CF        | <u>Pre-meeting</u> |
| 2.      |                | AHS       |                    |
| 3.      |                | FP        |                    |

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### **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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup>

### *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.<sup>5</sup> 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.<sup>6</sup>

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:<sup>7</sup>

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

<sup>1</sup> 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.

<sup>2</sup> Section 409.147(1), F.S.

<sup>3</sup> Section 409.147(4), F.S.

<sup>4</sup> Section 409.147(4), F.S.

<sup>5</sup> Section 409.147(5), F.S.

<sup>6</sup> *Id.*

<sup>7</sup> 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:<sup>8</sup>

| <b>Objectives for Each Working Group Focus Area</b> |   |
|---|---|
| <b>Focus Area</b>                                   | <b>Objectives for Working Group</b>   |
| <b>Early Development and Care of Children</b>       | 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.  |
| <b>Education of children and youth</b>              | 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.   |
| <b>Health and Wellness</b>                          | 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.   |
| <b>Youth support</b>                                | Increasing the high school graduation, postsecondary enrollment, and postsecondary completion rates among neighborhood youth.   |
|   | Increasing leadership development and employment opportunities for neighborhood youth.  |
| <b>Parent and guardian support</b>                  | 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 communicate and collaborate with parents and the ways in which parents communicate and collaborate with support systems. |

<sup>8</sup> 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.  |
| <b>Adult education, training, and jobs</b>   | 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.             |
| <b>Community safety</b>                      | 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. |
| <b>Housing and community development</b>     | 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.<sup>9</sup> 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.<sup>10</sup>

### ***Current Florida Children's Initiatives***

Currently, there are five recognized Florida Children's Initiatives, as follows:<sup>11</sup>

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

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

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

<sup>9</sup> Section 409.147(7), F.S. and Ch. 617, F.S.

<sup>10</sup> Section 409.147(7), F.S.

<sup>11</sup> Section 409.147, F.S.

<sup>12</sup> Section 409.147(9), F.S.

<sup>13</sup> Section 409.147(10), F.S.

<sup>14</sup> Section 409.147(11), F.S.

<sup>15</sup> Section 409.147(12), F.S.

<sup>16</sup> Section 409.147(13), F.S.

<sup>17</sup> 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.<sup>18</sup>

### ***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.<sup>19</sup> Not-for-profit corporations designated as Children's Initiatives are not subject to the control, supervision, or direction by any department of the state.<sup>20</sup> 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.<sup>21</sup>

### **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.<sup>22</sup> 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.<sup>23</sup> The Ounce is identified in statute as the organization that is able to designate areas in Florida as Children's Initiatives.<sup>24</sup> The Ounce has not been appropriated funds to fund new or existing Children's Initiatives since 2022.<sup>25</sup>

### **Bay County 32401 Children's Initiative**

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

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<sup>18</sup> Section 409.147(7), F.S.

<sup>19</sup> See Section 409.147, F.S.

<sup>20</sup> Section 409.147(7), F.S.

<sup>21</sup> See Section 409.147, F.S.

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

<sup>23</sup> *Id.*

<sup>24</sup> Section 409.147(4), F.S.

<sup>25</sup> Ch. 2022-156, L.O.F., specific appropriation 318.

<sup>26</sup> 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.<sup>27</sup> In Bay County, 11.6% of individuals are reported to live in poverty.<sup>28</sup>

Goshen Community Resource and Recovery Center (Goshen) is the not-for-profit corporation associated with the Bay County 32401 Children's Initiative.<sup>29</sup> Established in 2019, Goshen strives to provide educational, economic, and social assistance to those in the community that are abused, neglected, abandoned, and disenfranchised.<sup>30</sup> 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.<sup>31</sup>

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.<sup>32</sup>

### **Pompano RYZE Children's Initiative**

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

The Community Foundation of Broward (Community Foundation) is the not-for-profit corporation associated with the Pompano RYZE Children's Initiative.<sup>35</sup> 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.<sup>36</sup> The Community Foundation has six focus areas that it emphasizes in grantmaking to improve Broward County, as follows:<sup>37</sup>

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

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

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

<sup>29</sup> 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).

<sup>30</sup> 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).

<sup>31</sup> 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).

<sup>32</sup> 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).

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

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

<sup>35</sup> 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).

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

<sup>37</sup> 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.<sup>38</sup>

### **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.

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<sup>38</sup> 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.