

**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.