

1                   A bill to be entitled  
2     An act relating to child care and early learning  
3     services; amending s. 402.302, F.S.; revising and  
4     providing definitions; amending s. 402.305, F.S.;  
5     revising the minimum standards for child care facility  
6     licensing; amending s. 402.313, F.S.; changing the  
7     term "family day care" to "family child care";  
8     removing provisions requiring family day care homes to  
9     provide specified information to parents; amending s.  
10    402.3131, F.S.; removing provisions requiring large  
11    family child care homes to provide specified  
12    information to parents; amending s. 627.70161, F.S.;  
13    changing the term "family day care" to "family child  
14    care"; providing legislative intent relating to large  
15    family child care homes; defining the term "large  
16    family child care home"; prohibiting residential  
17    property insurance policies from providing coverage  
18    for liability for claims arising out of, or in  
19    connection with, the operations of large family child  
20    care homes; providing that insurers are under no  
21    obligation to defend against lawsuits covering such  
22    claims; providing exceptions; prohibiting insurers  
23    from denying, cancelling, and refusing to renew a  
24    policy for residential property insurance on the basis  
25    that the policyholders or applicants operate large

family child care homes; providing exceptions;  
reenacting and amending s. 1001.24, F.S.; revising the  
definition of the term "Department of Education  
direct-support organization"; creating s. 1002.821,  
F.S.; creating the Brighter Futures Program; requiring  
a Department of Education direct-support organization  
to administer the program; requiring program funds to  
be deposited into the Early Learning Fund; requiring  
that funds from state sources and interest earnings be  
accounted separately; providing for the use of funds;  
requiring an annual report; providing requirements for  
such report; amending s. 1002.95, F.S.; providing for  
the establishment and administration of the Center for  
Early Childhood Professional Recognition under a  
specified circumstance; amending s. 39.101, F.S.;  
conforming a cross-reference; amending ss. 39.202,  
125.0109, 166.0445, 212.08, 402.306, 402.309, 402.310,  
402.3115, 402.312, 402.315, 402.316, 402.318, 402.319,  
409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84,  
1002.88, 1002.895, 1002.92, 1002.93, and 1002.945,  
F.S.; conforming provisions to changes made by the  
act; providing an effective date.

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

51       **Section 1. Subsections (15) through (18) of section**  
52       **402.302, Florida Statutes, are renumbered as subsections (16)**  
53       **through (19), respectively, subsections (2), (3), (8), (9), and**  
54       **(11) are amended, and a new subsection (15) is added to that**  
55       **section, to read:**

56       402.302 Definitions.—As used in this chapter, the term:

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

63       (a) Public schools and nonpublic schools and their  
64       administered ~~integral~~ programs, except as provided in s.

65       402.3025.~~7~~

66       (b) Summer camps having children in full-time residence.~~7~~

67       (c) Summer day camps.~~7~~

68       (d) Bible schools normally conducted during vacation  
69       periods.~~7~~ ~~and~~

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

75       (f) Before-school and after-school programs, and any

76 programs during off-school hours, offered and operated by public  
77 and nonpublic elementary schools at school sites for the  
78 schools' student populations.

79 (3) "Child care personnel" means all owners, operators,  
80 employees, and volunteers working in a child care facility. The  
81 term does not include persons who work in a child care facility  
82 after hours when children are not present or parents of children  
83 in a child care facility. For purposes of screening, the term  
84 includes any member, over the age of 12 years, of a child care  
85 facility operator's family, or person, over the age of 12 years,  
86 residing with a child care facility operator if the child care  
87 facility is located in or adjacent to the home of the operator  
88 or if the family member of, or person residing with, the child  
89 care facility operator has any direct contact with the children  
90 in the facility during its hours of operation. Members of the  
91 operator's family or persons residing with the operator who are  
92 between the ages of 12 years and 18 years are not required to be  
93 fingerprinted but must be screened for delinquency records. For  
94 purposes of screening, the term also includes persons who work  
95 in child care programs that provide care for children 15 hours  
96 or more each week in public or nonpublic schools, family child  
97 ~~day~~ care homes, membership organizations under s. 402.301, or  
98 programs otherwise exempted under s. 402.316. The term does not  
99 include public or nonpublic school personnel who are providing  
100 care during regular school hours, or after hours for activities

101 related to a school's program for students attending public or  
102 nonpublic school programs ~~grades kindergarten through 12~~. A  
103 volunteer who assists on an intermittent basis for less than 10  
104 hours per month is not included in the term "personnel" for the  
105 purposes of screening and training if a person who meets the  
106 screening requirement of s. 402.305(2) is always present and has  
107 the volunteer in his or her line of sight. Students who observe  
108 and participate in a child care facility as a part of their  
109 required coursework are not considered child care personnel,  
110 provided such observation and participation are on an  
111 intermittent basis and a person who meets the screening  
112 requirement of s. 402.305(2) is always present and has the  
113 student in his or her line of sight.

114       (8) "Family child ~~day~~ care home" means an occupied  
115 residence in which child care is regularly provided for children  
116 from at least two unrelated families and which receives a  
117 payment, fee, or grant for any of the children receiving care,  
118 whether or not operated for profit. Household children under 13  
119 years of age, when on the premises of the family child ~~day~~ care  
120 home or on a field trip with children enrolled in child care,  
121 shall be included in the overall capacity of the licensed home.  
122 A family child ~~day~~ care home shall be allowed to provide care  
123 for one of the following groups of children, which shall include  
124 household children under 13 years of age:

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

126 age.

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

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

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

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

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

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

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

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

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

(a) In kindergarten through grade 12;

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

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

**Section 2. Paragraph (a) of subsection (2), paragraph (a)  
of subsection (7), and paragraph (a) of subsection (17) of  
section 402.305, Florida Statutes, are amended to read:**

402.305 Licensing standards; child care facilities.—

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

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

198  
199 The department may grant limited exemptions to the minimum  
200 standards provided in this subsection which authorize a person



201 to work in a specified role or with a specified population.

202 (7) SANITATION AND SAFETY.—

203 (a) Minimum standards must include requirements for  
204 sanitary and safety conditions, first aid treatment, emergency  
205 procedures, and pediatric cardiopulmonary resuscitation. The  
206 minimum standards must require that ~~at least~~ one staff person  
207 trained in person in cardiopulmonary resuscitation, as evidenced  
208 by current documentation of course completion, be present at all  
209 times that children are present.

210 (17) TRANSFER OF OWNERSHIP.—

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

215 **Section 3. Section 402.313, Florida Statutes, is amended**  
216 **to read:**

217 402.313 Family child ~~day~~ care homes.—

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

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

- 226 1. The name and address of the home.
- 227 2. The name of the operator.
- 228 3. The number of children served.
- 229 4. Proof of a written plan to provide at least one other  
230 competent adult to be available to substitute for the operator  
231 in an emergency. This plan shall include the name, address, and  
232 telephone number of the designated substitute.
- 233 5. Proof of screening and background checks.
- 234 6. Proof of successful completion of the 30-hour training  
235 course, as evidenced by passage of a competency examination,  
236 which shall include:
  - 237 a. State and local rules and regulations that govern child  
238 care.
  - 239 b. Health, safety, and nutrition.
  - 240 c. Identifying and reporting child abuse and neglect.
  - 241 d. Child development, including typical and atypical  
242 language development; and cognitive, motor, social, and self-  
243 help skills development.
  - 244 e. Observation of developmental behaviors, including using  
245 a checklist or other similar observation tools and techniques to  
246 determine a child's developmental level.
  - 247 f. Specialized areas, including early literacy and  
248 language development of children from birth to 5 years of age,  
249 as determined by the department, for owner-operators of family  
250 child day care homes.

251 7. Proof that immunization records are kept current.

252 8. Proof of completion of the required continuing  
253 education units or clock hours.

254 (b) A family child ~~day~~ care home may volunteer to be  
255 licensed under this act.

256 (c) The department may provide technical assistance to  
257 counties and family child ~~day~~ care home providers to enable  
258 counties and family child ~~day~~ care providers to achieve  
259 compliance with family child ~~day~~ care homes standards.

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

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

274 (4) Operators of family child ~~day~~ care homes must  
275 successfully complete an approved 30-clock-hour introductory

276 course in child care, as evidenced by passage of a competency  
277 examination, before caring for children.

278 (5) In order to further develop their child care skills  
279 and, if appropriate, their administrative skills, operators of  
280 family child ~~day~~ care homes shall be required to complete an  
281 additional 1 continuing education unit of approved training or  
282 10 clock hours of equivalent training, as determined by the  
283 department, annually.

284 (6) Operators of family child ~~day~~ care homes shall be  
285 required to complete 0.5 continuing education unit of approved  
286 training in early literacy and language development of children  
287 from birth to 5 years of age one time. The year that this  
288 training is completed, it shall fulfill the 0.5 continuing  
289 education unit or 5 clock hours of the annual training required  
290 in subsection (5).

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

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

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

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

314           (b) A listing of those counties that require licensure of  
315 family child ~~day~~ care homes. Such counties shall provide an  
316 addendum to the brochure that provides a brief description of  
317 the licensure requirements or may provide a brochure in lieu of  
318 the one described in this subsection, provided it contains all  
319 the required information on licensure and the required  
320 information in the subsequent paragraphs.

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

326 affixed to the brochure.

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

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

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

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

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

345 (c) The number of complaints received concerning family  
346 child ~~day~~ care, the nature of the complaints, and the resolution  
347 of such complaints.

348 (d) The training activities utilized by child care  
349 personnel in family child ~~day~~ care homes for meeting the state  
350 or local training requirements.

351  
352 The evaluation shall be utilized by the department in any  
353 administrative modifications or adjustments to be made in the  
354 registration of family child ~~day~~ care homes or in any  
355 legislative requests for modifications to the system of  
356 registration or to other requirements for family child ~~day~~ care  
357 homes.

358       (11) In order to inform the public of the state  
359 requirement for registration of family child ~~day~~ care homes as  
360 well as the other requirements for such homes to legally operate  
361 in the state, the department shall institute a media campaign to  
362 accomplish this end. Such a campaign shall include, at a  
363 minimum, flyers, newspaper advertisements, radio advertisements,  
364 and television advertisements.

365       (12) Notwithstanding any other state or local law or  
366 ordinance, any family child ~~day~~ care home licensed pursuant to  
367 this chapter or pursuant to a county ordinance shall be charged  
368 the utility rates accorded to a residential home. A licensed  
369 family child ~~day~~ care home may not be charged commercial utility  
370 rates.

371       (13) The department shall, by rule, establish minimum  
372 standards for family child ~~day~~ care homes that are required to  
373 be licensed by county licensing ordinance or county licensing  
374 resolution or that voluntarily choose to be licensed. The  
375 standards should include requirements for staffing, training,

376 maintenance of immunization records, minimum health and safety  
377 standards, reduced standards for the regulation of child care  
378 during evening hours by municipalities and counties, and  
379 enforcement of standards.

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

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



**Section 4. Subsections (9) and (10) of section 402.3131, Florida Statutes, are amended to read:**

402.3131 Large family child care homes.—

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

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

**Section 5. Section 627.70161, Florida Statutes, is amended**

426 **to read:**

427       627.70161 Family child ~~day~~ care and large family child  
428 care insurance.—

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

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

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

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

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

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

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

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

485            (a) Specifically covered in a policy; or

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

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

497            (a) The policyholder or applicant provides care for more  
498 children than authorized ~~for family day care homes~~ by s.  
499 402.302;

500            (b) The policyholder or applicant fails to maintain a

separate commercial liability policy or an endorsement providing liability coverage for the family child ~~day~~ care home or the large family child care home operations;

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

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

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

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

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

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

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

2. That is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures

526 to or for the benefit of the early learning programs under parts  
527 V and VI of chapter 1002, child care facilities licensed under  
528 s. 402.305, family child care homes licensed or registered under  
529 s. 402.313, large family child care homes licensed under s.  
530 402.3131, and public prekindergarten through 12th grade  
531 education in this state.

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

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

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

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

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

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

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

555 (4) ANNUAL AUDIT.—Each direct-support organization shall  
556 provide for an annual financial audit in accordance with s.  
557 215.981. The identity of donors who desire to remain anonymous  
558 shall be protected, and that anonymity shall be maintained in  
559 the auditor's report. All records of the organization other than  
560 the auditor's report, management letter, and any supplemental  
561 data requested by the Auditor General and the Office of Program  
562 Policy Analysis and Government Accountability shall be  
563 confidential and exempt from the provisions of s. 119.07(1).

564 **Section 7. Section 1002.821, Florida Statutes, is created**  
565 **to read:**

566 1002.821 Brighter Futures Program.—The Brighter Futures  
567 Program is established to support early learning and child care  
568 needs of Florida families.

569 (1) The direct-support organization established pursuant  
570 to s. 1001.24 shall administer the program.

571 (2)(a) Any bequests, gifts, grants, and donations made to  
572 the program as may be solicited for such purpose from public or  
573 private sources shall be deposited into the Early Learning Fund.

574 (b) Any legislative appropriation from the Child Care and  
575 Development Block Grant Trust Fund which may be provided to the

576 program shall be deposited into the Early Learning Fund and  
577 shall be used to fund children from the waiting list pursuant to  
578 subparagraph (3) (a) 1.

579 (c) Any funds received from state sources and interest  
580 earnings shall be accounted for separately.

581 (3) Funds shall be used to provide:

582 (a) Care for children from birth until the child is  
583 eligible to enroll in kindergarten in accordance with:

584 1. An allocation methodology to fund the waiting list of  
585 early learning coalitions; or

586 2. The intentions of a donor.

587 (b) The early learning coalition shall fund school  
588 readiness program providers and providers selected by the  
589 donor's recipient at the reimbursement rate calculated pursuant  
590 to s. 1002.84(17). If the provider selected by the donor's  
591 recipient is not a school readiness program provider, the  
592 department shall adopt a contract for use by an early learning  
593 coalition with the provider to provide such funds.

594 (c) Any family served under subparagraph (a) 1. shall have  
595 an early learning coalition apply a parent copayment based on  
596 family income pursuant to s. 1002.84(9) or s. 1002.935(2) (b) .

597 (4) By January 1 of each year, beginning January 1, 2027,  
598 the Division of Early Learning shall summarize the performance  
599 of the program and the program's fundraising activities for the  
600 previous fiscal year, identify the child care needs supported by



the fund principal or earnings and those supported by private sources, bequests, gifts, grants, and donations. The report must also include:

(a) Outcome data, including the number of children served and any child outcomes, by each early learning coalition.

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

**Section 8. Section 1002.95, Florida Statutes, is amended to read:**

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

(1)(a) The department may contract for the administration of the Teacher Education and Compensation Helps (TEACH) Scholarship Program, which provides educational scholarships to caregivers and administrators of early childhood programs, family child ~~day~~ care homes, and large family child care homes. The goal of the program is to increase the education and training for caregivers, increase the compensation for child caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.

(b) Subject to appropriation, the TEACH Scholarships Program administrator contracted under paragraph (a) shall also establish and administer the Center for Early Childhood

Professional Recognition to ensure alignment of training statewide, including, but not limited to, methods of early childhood professional training approval, and implementation of competency-based assessments aligned to the early learning professional development standards and career pathways under s. 1002.995.

(2) The State Board of Education shall adopt rules as necessary to administer this section.

**Section 9. Paragraph (a) of subsection (4) of section 39.101, Florida Statutes, is amended to read:**

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

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

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

**Section 10. Paragraph (a) of subsection (2) of section 39.202, Florida Statutes, is amended to read:**

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

(2) Except as provided in subsection (4), access to such records, excluding the name of, or other identifying information with respect to, the reporter which may only be released as

provided in subsection (5), may only be granted to the following persons, officials, and agencies:

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

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

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant

to chapters 984 and 985.

**Section 11. Section 125.0109, Florida Statutes, is amended to read:**

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

**Section 12. Section 166.0445, Florida Statutes, is amended to read:**

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

**Section 13. Paragraph (j) of subsection (7) of section 212.08, Florida Statutes, is amended to read:**

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

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

(j) Household fuels.—Also exempt from payment of the tax

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

**Section 14. Subsection (3) of section 402.306, Florida Statutes, is amended to read:**

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

(3) The department and local licensing agencies, or the designees thereof, shall be responsible for coordination and dissemination of information on child care to the community and shall make available through electronic means all licensing standards and procedures, health and safety standards for school

751 readiness providers, monitoring and inspection reports, and the  
752 names and addresses of licensed child care facilities, school  
753 readiness program providers, and, where applicable pursuant to  
754 s. 402.313, licensed or registered family child ~~day~~ care homes.  
755 This information shall also include the number of deaths,  
756 serious injuries, and instances of substantiated child abuse  
757 that have occurred in child care settings each year; research  
758 and best practices in child development; and resources regarding  
759 social-emotional development, parent and family engagement,  
760 healthy eating, and physical activity.

761 **Section 15. Subsections (1) and (2) and paragraph (a) of**  
762 **subsection (3) of section 402.309, Florida Statutes, are amended**  
763 **to read:**

764 402.309 Provisional license or registration.—

765 (1) The local licensing agency or the department,  
766 whichever is authorized to license child care facilities in a  
767 county, may issue a provisional license for child care  
768 facilities, family child ~~day~~ care homes, or large family child  
769 care homes, or a provisional registration for family child ~~day~~  
770 care homes to applicants for an initial license or registration  
771 or to licensees or registrants seeking a renewal who are unable  
772 to meet all the standards provided for in ss. 402.301-402.319.

773 (2) A provisional license or registration may not be  
774 issued unless the operator or owner makes adequate provisions  
775 for the health and safety of the child. A provisional license

776 may be issued for a child care facility if all of the screening  
777 materials have been timely submitted. A provisional license or  
778 registration may not be issued unless the child care facility,  
779 family child ~~day~~ care home, or large family child care home is  
780 in compliance with the requirements for screening of child care  
781 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,  
782 respectively.

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

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

790 **Section 16. Paragraph (d) of subsection (1) and subsection**  
791 **(4) of section 402.310, Florida Statutes, are amended to read:**

792 402.310 Disciplinary actions; hearings upon denial,  
793 suspension, or revocation of license or registration;  
794 administrative fines.—

795 (1)

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

800 (4) An applicant, registrant, or licensee shall have the



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

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

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

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

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

1. Have been licensed for at least 2 consecutive years.
2. Have not had a Class 1 deficiency, as defined by rule, for at least 2 consecutive years.
3. Have not had more than three of the same Class 2 deficiencies, as defined by rule, for at least 2 consecutive

826 years.

827 4. Have received at least two full onsite renewal  
828 inspections in the most recent 2 years.

829 5. Do not have any current uncorrected violations.

830 6. Do not have any open regulatory complaints or active  
831 child protective services investigations.

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

834 402.312 License required; injunctive relief.—

835 (1) The operation of a child care facility without a  
836 license, a family child ~~day~~ care home without a license or  
837 registration, or a large family child care home without a  
838 license is prohibited. If the department or the local licensing  
839 agency discovers that a child care facility is being operated  
840 without a license, a family child ~~day~~ care home is being  
841 operated without a license or registration, or a large family  
842 child care home is being operated without a license, the  
843 department or local licensing agency is authorized to seek an  
844 injunction in the circuit court where the facility is located to  
845 enjoin continued operation of such facility, family child ~~day~~  
846 care home, or large family child care home. When the court is  
847 closed for the transaction of judicial business, the department  
848 or local licensing agency is authorized to seek an emergency  
849 injunction to enjoin continued operation of such unlicensed  
850 facility, unregistered or unlicensed family child ~~day~~ care home,

851 or unlicensed large family child care home, which injunction  
852 shall be continued, modified, or revoked on the next day of  
853 judicial business.

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

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

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

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

867 (3) The department or local licensing agency may impose an  
868 administrative fine on any child care facility, family child ~~day~~  
869 care home, or large family child care home operating without a  
870 license or registration, consistent with ~~the provisions of s.~~  
871 402.310.

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

874 402.315 Funding; license fees.—

875 (3) The department shall collect a fee for any license it

876 issues for a child care facility, family child ~~day~~ care home, or  
877 large family child care home pursuant to ss. 402.305, 402.313,  
878 and 402.3131.

879 (a) For a child care facility licensed pursuant to s.  
880 402.305, such fee shall be \$1 per child, based on the licensed  
881 capacity of the facility, except that the minimum fee shall be  
882 \$25 per facility and the maximum fee shall be \$100 per facility.

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

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

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

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

891 402.316 Exemptions.—

892 (2) The provisions of ss. 402.301-402.319 do not apply to  
893 a child care facility or family child ~~day~~ care home if the child  
894 care facility or family child ~~day~~ care home has a certificate  
895 issued by the United States Department of Defense or by the  
896 United States Coast Guard to provide child care and has  
897 completed background screening by the United States Department  
898 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86  
899 and received a favorable suitability and fitness determination.  
900 If the child care facility or family child ~~day~~ care home elects

901 to serve children ineligible for care under the United States  
902 Department of Defense Instruction 6060.02, the child care  
903 facility or family child ~~day~~ care home must be licensed under  
904 this chapter.

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

907       402.318 Advertisement.—A person, as defined in s. 1.01(3),  
908 may not advertise a child care facility, family child ~~day~~ care  
909 home, or large family child care home without including within  
910 such advertisement the state or local agency license number or  
911 registration number of such facility or home. Violation of this  
912 section is a misdemeanor of the first degree, punishable as  
913 provided in s. 775.082 or s. 775.083.

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

916       402.319 Penalties.—

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

920       (a) Fail, by false statement, misrepresentation,  
921 impersonation, or other fraudulent means, to disclose in any  
922 application for voluntary or paid employment or licensure  
923 regulated under ss. 402.301-402.318 all information required  
924 under those sections or a material fact used in making a  
925 determination as to such person's qualifications to be child

926 care personnel, as defined in s. 402.302, in a child care  
927 facility, family child ~~day~~ care home, or other child care  
928 program.

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

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

934 (d) Operate or attempt to operate a child care facility or  
935 family child ~~day~~ care home under a license that is suspended,  
936 revoked, or terminated.

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

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

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

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

3. The qualifications or credentials of child care personnel;

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

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

(2) If any child care personnel makes any misrepresentation in violation of this section to a parent or guardian who has placed a child in the child care facility or family child ~~day~~ care home, and the parent or guardian relied upon the misrepresentation, and the child suffers great bodily harm, permanent disfigurement, permanent disability, or death as a result of an intentional act or negligence by the child care personnel, then the child care personnel commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

(2) LICENSURE.—

976 (c) Substitute care providers who are licensed under s.  
977 409.175 and who have contracted with a lead agency are also  
978 authorized to provide registered or licensed family child day  
979 care under s. 402.313 if such care is consistent with federal  
980 law and if the home has met the requirements of s. 402.313.

981 **Section 24. Paragraph (b) of subsection (8) of section**  
982 **411.203, Florida Statutes, is amended to read:**

983 411.203 Continuum of comprehensive services.—The  
984 Department of Education and the Department of Health shall  
985 utilize the continuum of prevention and early assistance  
986 services for high-risk pregnant women and for high-risk and  
987 handicapped children and their families, as outlined in this  
988 section, as a basis for the intraagency and interagency program  
989 coordination, monitoring, and analysis required in this chapter.  
990 The continuum shall be the guide for the comprehensive statewide  
991 approach for services for high-risk pregnant women and for high-  
992 risk and handicapped children and their families, and may be  
993 expanded or reduced as necessary for the enhancement of those  
994 services. Expansion or reduction of the continuum shall be  
995 determined by intraagency or interagency findings and agreement,  
996 whichever is applicable. Implementation of the continuum shall  
997 be based upon applicable eligibility criteria, availability of  
998 resources, and interagency prioritization when programs impact  
999 both agencies, or upon single agency prioritization when  
1000 programs impact only one agency. The continuum shall include,



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but not be limited to:

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

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

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

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

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

(a) The private prekindergarten provider must be a child care facility licensed under s. 402.305, family child ~~day~~ care home licensed under s. 402.313, large family child care home licensed under s. 402.3131, nonpublic school exempt from licensure under s. 402.3025(2), faith-based child care provider exempt from licensure under s. 402.316, child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, or private prekindergarten provider that has been issued a provisional license under s. 402.309. A private prekindergarten provider may not deliver the

program while holding a probation-status license under s.  
402.310.

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

1002.82 Department of Education; powers and duties.—

(2) The department shall:

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

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

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

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

1002.83 Early learning coalitions.—

(4) Each early learning coalition must include the following member positions; however, in a multicounty coalition, each ex officio member position may be filled by multiple nonvoting members but no more than one voting member shall be

seated per member position. If an early learning coalition has more than one member representing the same entity, only one of such members may serve as a voting member:

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

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

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

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

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

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

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

(a) Be a child care facility licensed under s. 402.305, a

1076 family child ~~day~~ care home licensed or registered under s.  
1077 402.313, a large family child care home licensed under s.  
1078 402.3131, a public school or nonpublic school exempt from  
1079 licensure under s. 402.3025, a faith-based child care provider  
1080 exempt from licensure under s. 402.316, a before-school or  
1081 after-school program described in s. 402.305(1)(c), a child  
1082 development program that is accredited by a national accrediting  
1083 body and operates on a military installation that is certified  
1084 by the United States Department of Defense, an informal child  
1085 care provider to the extent authorized in the state's Child Care  
1086 and Development Fund Plan as approved by the United States  
1087 Department of Health and Human Services pursuant to 45 C.F.R. s.  
1088 98.18, or a provider who has been issued a provisional license  
1089 pursuant to s. 402.309. A provider may not deliver the program  
1090 while holding a probation-status license under s. 402.310.

1091 (c) Provide basic health and safety of its premises and  
1092 facilities and compliance with requirements for age-appropriate  
1093 immunizations of children enrolled in the school readiness  
1094 program.

1095 1. For a provider that is licensed, compliance with s.  
1096 402.305, s. 402.3131, or s. 402.313 and this subsection, as  
1097 verified pursuant to s. 402.311, satisfies this requirement.

1098 2. For a provider that is a registered family child ~~day~~  
1099 care home or is not subject to licensure or registration by the  
1100 Department of Children and Families, compliance with this

subsection, as verified pursuant to s. 402.311, satisfies this requirement. Upon verification pursuant to s. 402.311, the provider shall annually post the health and safety checklist adopted by the department prominently on its premises in plain sight for visitors and parents and shall annually submit the checklist to its local early learning coalition.

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual inspections pursuant to United States Department of Defense Instructions 6060.2 and 1402.05 satisfies this requirement.

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

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

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

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

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

1002.92 Child care and early childhood resource and referral.—

(3) Child care resource and referral agencies shall

1126 provide the following services:

1127 (a) Identification of existing public and private child  
1128 care and early childhood education services, including child  
1129 care services by public and private employers, and the  
1130 development of an early learning provider performance profile of  
1131 those services through the single statewide information system  
1132 developed by the department under s. 1002.82(2)(q). These  
1133 services may include family child ~~day~~ care, public and private  
1134 child care programs, the Voluntary Prekindergarten Education  
1135 Program, Head Start, the school readiness program, special  
1136 education programs for prekindergarten children with  
1137 disabilities, services for children with developmental  
1138 disabilities, full-time and part-time programs, before-school  
1139 and after-school programs, and vacation care programs. The early  
1140 learning provider performance profile shall include, but not be  
1141 limited to:

- 1142 1. Type of program.
- 1143 2. Hours of service.
- 1144 3. Ages of children served.
- 1145 4. Number of children served.
- 1146 5. Program information.
- 1147 6. Fees and eligibility for services.
- 1148 7. Availability of transportation.
- 1149 8. Participation in the Child Care Food Program, if  
1150 applicable.

1151           9. A link to licensing inspection reports, if applicable.

1152           10. The components of the Voluntary Prekindergarten

1153 Education Program performance metric calculated under s. 1002.68

1154 which must consist of the program assessment composite score,

1155 learning gains score, achievement score, and its designations,

1156 if applicable.

1157           11. The school readiness program assessment composite

1158 score and program assessment care level composite score results

1159 delineated by infant classrooms, toddler classrooms, and

1160 preschool classrooms results under s. 1002.82, if applicable.

1161           12. Gold Seal Quality Care designation under s. 1002.945,

1162 if applicable.

1163           13. Indication of whether the provider implements a

1164 curriculum approved by the department and the name of the

1165 curriculum, if applicable.

1166           14. Participation in school readiness child assessment

1167 under s. 1002.82.

1168           (4) A child care facility licensed under s. 402.305 and

1169 licensed and registered family child ~~day~~ care homes must provide

1170 the statewide child care and resource and referral network with

1171 the following information annually:

1172           (a) Type of program.

1173           (b) Hours of service.

1174           (c) Ages of children served.

1175           (d) Fees and eligibility for services.

1176       **Section 32. Subsection (2) of section 1002.93, Florida**  
1177 **Statutes, is amended to read:**

1178       1002.93 School readiness program transportation services.—

1179       (2) The transportation servicers may only provide  
1180 transportation to each child participating in the school  
1181 readiness program to the extent that such transportation is  
1182 necessary to provide child care opportunities that otherwise  
1183 would not be available to a child whose home is more than a  
1184 reasonable walking distance from the nearest child care facility  
1185 or family child ~~day~~ care home.

1186       **Section 33. Paragraph (b) of subsection (1), paragraphs**  
1187 **(a) and (c) of subsection (3), and subsection (4) of section**  
1188 **1002.945, Florida Statutes, are amended to read:**

1189       1002.945 Gold Seal Quality Care Program.—

1190       (1)

1191       (b) A child care facility, large family child care home,  
1192 or family child ~~day~~ care home that is accredited by an  
1193 accrediting association approved by the Department of Education  
1194 under subsection (3) and meets all other requirements shall,  
1195 upon application to the department, receive a separate "Gold  
1196 Seal Quality Care" designation.

1197       (3)(a) In order to be approved by the Department of  
1198 Education for participation in the Gold Seal Quality Care  
1199 Program, an accrediting association must apply to the department  
1200 and demonstrate that it:



1. Is a recognized accrediting association.

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

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

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

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

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

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

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

e. Procedures for the revocation of accreditation due to

1226 failure to maintain accrediting standards as evidenced by sub-  
1227 subparagraph d. or any other relevant information received by  
1228 the accrediting association.

1229 f. Accreditation renewal procedures that include an onsite  
1230 verification occurring at least every 5 years.

1231 g. A process for verifying continued accreditation  
1232 compliance in the event of a transfer of ownership of  
1233 facilities.

1234 h. A process to communicate issues that arise during the  
1235 accreditation period with governmental entities that have a  
1236 vested interest in the Gold Seal Quality Care Program, including  
1237 the Department of Education, the Department of Children and  
1238 Families, the Department of Health, local licensing entities if  
1239 applicable, and the early learning coalition.

1240 (c) If an accrediting association has granted  
1241 accreditation to a child care facility, large family child care  
1242 home, or family child ~~day~~ care under fraudulent terms or failed  
1243 to conduct onsite verifications, the accrediting association  
1244 shall be liable for the repayment of any rate differentials paid  
1245 under subsection (6).

1246 (4) In order to obtain and maintain a designation as a  
1247 Gold Seal Quality Care provider, a child care facility, large  
1248 family child care home, or family child ~~day~~ care home must meet  
1249 the following additional criteria:

1250 (a) The child care provider must not have had any class I

violations, as defined by rule of the Department of Children and Families, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of a class I violation shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class I violations for a period of 2 years.

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

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

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violations for a period of 1 year.

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

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