

1 A bill to be entitled
 2 An act relating to provisional child care licensing;
 3 amending s. 402.309, F.S.; requiring a local licensing
 4 agency or the Department of Children and Families to
 5 issue a provisional license or registration for a
 6 family day care home under certain circumstances;
 7 providing an effective date.

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

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 11 Section 1. Subsections (3), (4), and (5) of section
 12 402.309, Florida Statutes, are renumbered as subsections (4),
 13 (5), and (6), respectively, subsection (2) is amended, and a new
 14 subsection (3) is added to that section, to read:

15 402.309 Provisional license or registration.—

16 (2) A provisional license or registration may not be
 17 issued unless the operator or owner makes adequate provisions
 18 for the health and safety of the child and has timely submitted.
 19 ~~A provisional license may be issued for a child care facility if~~
 20 ~~all of the screening materials have been timely submitted.~~ A
 21 provisional license or registration may not be issued unless the
 22 child care facility, family day care home, or large family child
 23 care home is in compliance with the requirements for screening
 24 of child care personnel in ss. 402.305, 402.3055, 402.313, and
 25 402.3131, respectively.

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

30 (a) Is applying for an initial license or registration for
 31 a family day care home.

32 (b) Has made adequate provisions for the health and safety
 33 of the child.

34 (c) Provides evidence that he or she has completed, within
 35 the previous 6 months, training pursuant to United States
 36 Department of Defense Instruction 6060.02 and background
 37 screening by the United States Department of Defense pursuant to
 38 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
 39 favorable fitness determination.

40 Section 2. This act shall take effect upon becoming law.