

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.

8

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

10

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, as applicable, must issue a  
28 provisional license or registration within 30 calendar days  
29 after receiving a complete application, with the exception of  
30 the applicant's background screening results, for licensure or  
31 registration, as appropriate, to operate a child care facility,  
32 family day care home, or a large family child care home if the  
33 operator or owner:

34        (a) Is applying for an initial license or registration for  
35 a child care facility, a family day care home, or a large family  
36 child care home.

37        (b) Has made adequate provisions for the health and safety  
38 of the child.

39        (c)1. Has a valid certificate issued by the United States  
40 Department of Defense to provide child care; or

41        2. Provides evidence that he or she has, within the  
42 previous 12 months:

43        a. Completed training pursuant to United States Department  
44 of Defense Instruction 6060.02 and background screening by the  
45 United States Department of Defense pursuant to 34 U.S.C. s.  
46 20351 and 32 C.F.R. part 86 and received a favorable suitability  
47 determination; or

48        b. Possessed a valid license, certificate, or similar  
49 authorization to provide child care in another jurisdiction of  
50 the United States that has screening and training requirements

CS/CS/HB 1155

2023

51 | that are substantially similar to the requirements under ss.  
52 | 402.305 and 402.3055, and that has not been subject to  
53 | disciplinary action in that other jurisdiction.

54 |       Section 2. This act shall take effect upon becoming law.