

1 A bill to be entitled
2 An act relating to child care and early learning
3 providers; amending s. 170.201, F.S.; providing an
4 exemption for public and private preschools from
5 specified special assessments levied by a
6 municipality; defining the term "preschool"; amending
7 s. 402.305, F.S.; revising licensing standards for all
8 licensed child care facilities and minimum standards
9 and training requirements for child care personnel;
10 requiring the Department of Children and Families to
11 conduct specified screenings of child care personnel
12 within a specified timeframe and issue provisional
13 approval of such personnel under certain conditions;
14 providing an exception; revising minimum standards for
15 sanitation and safety of child care facilities;
16 removing provisions relating to educating parents and
17 children about specified topics; removing provisions
18 relating to specialized child care facilities for the
19 care of mildly ill children; amending s. 402.306,
20 F.S.; requiring a county commission to annually affirm
21 certain decisions; amending s. 402.3115, F.S.;
22 expanding the types of providers to be considered when
23 developing and implementing a plan to eliminate
24 duplicative and unnecessary inspections; revising
25 requirements for an abbreviated inspection plan for

26 | certain child care facilities; amending s. 402.313,
27 | F.S.; removing a provision requiring family child care
28 | homes to annually provide proof that immunization
29 | records are kept current to the department; removing a
30 | provision requiring the department to institute a
31 | certain media campaign for specified purposes;
32 | removing provisions requiring family child care homes
33 | to provide specified information to parents; removing
34 | provisions requiring the department to develop a
35 | specified flyer; amending s. 402.3131, F.S.; removing
36 | a provision requiring the department to provide a
37 | brochure on large family child care homes for
38 | distribution to the general public; removing
39 | provisions requiring large family child care homes to
40 | provide specified information to parents of children
41 | attending the large family child care homes; amending
42 | s. 402.316, F.S.; providing that certain child care
43 | facilities are exempt from specified requirements;
44 | authorizing certain exempt child care facilities to
45 | submit an application for licensure to the department
46 | or a local licensing agency; requiring the department
47 | and the local licensing agency to adopt rules;
48 | amending s. 627.70161, F.S.; defining the term "large
49 | family child care home"; prohibiting a residential
50 | property insurance policy from providing coverage for

51 certain claims in connection with large family child
 52 care homes; prohibiting an insurer from denying,
 53 canceling, or refusing to renew a policy for
 54 residential property insurance solely on the basis
 55 that the policyholder or applicant operates a large
 56 family child care home; amending ss. 39.202, 125.0109,
 57 166.0445, 212.08, 402.302, 402.309, 402.310, 402.312,
 58 402.315, 402.318, 402.319, 409.988, 411.203, 1002.59,
 59 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92,
 60 1002.93, 1002.945, and 1002.95, F.S.; conforming
 61 provisions to changes made by the act; providing an
 62 effective date.

63

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

65

66 **Section 1. Subsection (2) of section 170.201, Florida**
 67 **Statutes, is amended to read:**

68 170.201 Special assessments.—

69 (2) Property owned or occupied by a religious institution
 70 and used as a place of worship or education; by a public or
 71 private preschool, elementary school, middle school, or high
 72 school; or by a governmentally financed, insured, or subsidized
 73 housing facility that is used primarily for persons who are
 74 elderly or disabled shall be exempt from any special assessment
 75 levied by a municipality to fund any service if the municipality

76 | so desires. As used in this subsection, the term "religious
 77 | institution" means any church, synagogue, or other established
 78 | physical place for worship at which nonprofit religious services
 79 | and activities are regularly conducted and carried on and the
 80 | term "governmentally financed, insured, or subsidized housing
 81 | facility" means a facility that is financed by a mortgage loan
 82 | made or insured by the United States Department of Housing and
 83 | Urban Development under s. 8, s. 202, s. 221(d)(3) or (4), s.
 84 | 232, or s. 236 of the National Housing Act and is owned or
 85 | operated by an entity that qualifies as an exempt charitable
 86 | organization under s. 501(c)(3) of the Internal Revenue Code. As
 87 | used in this subsection, the term "preschool" means any child
 88 | care facility licensed under s. 402.305.

89 | **Section 2. Paragraphs (a) and (c) of subsection (1),**
 90 | **paragraphs (a), (e), and (f) of subsection (2), paragraphs (a)**
 91 | **and (c) of subsection (7), subsections (9), (13), and (17), and**
 92 | **paragraph (a) of subsection (18) of section 402.305, Florida**
 93 | **Statutes, are amended to read:**

94 | 402.305 Licensing standards; child care facilities.—

95 | (1) LICENSING STANDARDS.—The department shall establish
 96 | licensing standards that each licensed child care facility must
 97 | meet regardless of the origin or source of the fees used to
 98 | operate the facility or the type of children served by the
 99 | facility.

100 | (a) The standards shall be designed to address ~~the~~

101 ~~following areas:~~

102 1. ~~the health and nutrition, sanitation, safety,~~
 103 developmental needs, and sanitary adequate physical conditions
 104 ~~surroundings~~ for all children served by ~~in~~ child care
 105 facilities.

106 ~~2. The health and nutrition of all children in child care.~~

107 ~~3. The child development needs of all children in child~~
 108 ~~care.~~

109 (c) The minimum standards for child care facilities shall
 110 be adopted in the rules of the department and shall address the
 111 areas delineated in this section.

112 1. The department, in adopting rules to establish minimum
 113 standards for child care facilities, shall recognize that
 114 different age groups of children may require different
 115 standards.

116 2. The department may adopt different minimum standards
 117 for facilities that serve children in different age groups,
 118 including school-age children.

119 3. The department may create up to three classification
 120 levels for violations of licensing standards that directly
 121 relate to the health and safety of a child. A class three
 122 violation is the least serious in nature and must be the same
 123 incident of noncompliance that occurs at least three times
 124 within a 2-year period.

125 4. The department shall ~~also~~ adopt by rule a definition

126 for child care which distinguishes between child care programs
127 that require child care licensure and after-school programs that
128 do not require licensure. Notwithstanding any other provision of
129 law to the contrary, minimum child care licensing standards
130 shall be developed to provide for reasonable, affordable, and
131 safe before-school and after-school care. After-school programs
132 that otherwise meet the criteria for exclusion from licensure
133 may provide snacks and meals through the federal Afterschool
134 Meal Program (AMP) administered by the Department of Health in
135 accordance with federal regulations and standards. The
136 Department of Health shall consider meals to be provided through
137 the AMP only if the program is actively participating in the
138 AMP, is in good standing with the department, and the meals meet
139 AMP requirements. Standards, at a minimum, shall allow for a
140 credentialed director to supervise multiple before-school and
141 after-school sites.

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

144 (a) Good moral character based upon screening as defined
145 in s. 402.302(15). This screening shall be conducted as provided
146 in chapter 435, using the level 2 standards for screening
147 provided ~~set forth~~ in that chapter, and include employment
148 history checks, a search of criminal history records, sexual
149 predator and sexual offender registries, and child abuse and
150 neglect registry of any state in which the current or

151 prospective child care personnel resided during the preceding 5
152 years. The department shall complete the screening and provide
153 the results to the child care facility within 3 business days
154 from the receipt of the criminal history record check. If the
155 department is unable to complete the screening within 3 business
156 days, the department shall issue the current or prospective
157 child care personnel a 45-day provisional-hire status while all
158 required information is being requested and the department is
159 awaiting results unless the department has reason to believe a
160 disqualifying factor may exist. During the 45-day period, the
161 current or prospective child care personnel must be under the
162 direct supervision of a screened and trained staff member when
163 in contact with children.

164 (e) Minimum training requirements for child care
165 personnel.

166 1. Such minimum standards for training shall ensure that
167 all child care personnel take an approved 40-clock-hour
168 introductory course in child care, which course covers ~~at least~~
169 the following topic areas:

170 a. State and local rules and regulations which govern
171 child care.

172 b. Health, safety, and nutrition.

173 c. Identifying and reporting child abuse and neglect.

174 d. Child development, including typical and atypical
175 language, cognitive, motor, social, and self-help skills

176 development.

177 e. Observation of developmental behaviors, including using
178 a checklist or other similar observation tools and techniques to
179 determine the child's developmental age level.

180 f. Specialized areas, including computer technology for
181 professional and classroom use and early literacy and language
182 development of children from birth to 5 years of age, as
183 determined by the department, for owner-operators and child care
184 personnel of a child care facility.

185 g. Developmental disabilities, including autism spectrum
186 disorder and Down syndrome, and early identification, use of
187 available state and local resources, classroom integration, and
188 positive behavioral supports for children with developmental
189 disabilities.

190 h. Online training coursework, provided at no cost by the
191 department, to meet minimum training standards for child care
192 personnel.

193

194 Within 90 days after employment, child care personnel shall
195 begin training to meet the training requirements. Child care
196 personnel shall successfully complete such training within 1
197 year after the date on which the training began, as evidenced by
198 passage of an in-person or online ~~a~~ competency examination.

199 Successful completion of the 40-clock-hour introductory course
200 shall articulate into community college credit in early

201 childhood education, pursuant to ss. 1007.24 and 1007.25.
202 Exemption from all or a portion of the required training shall
203 be granted to child care personnel based upon educational
204 credentials or passage of competency examinations. Child care
205 personnel possessing a 2-year degree or higher that includes 6
206 college credit hours in early childhood development or child
207 growth and development, or a child development associate
208 credential or an equivalent state-approved child development
209 associate credential, or a child development associate waiver
210 certificate shall be automatically exempted from the training
211 requirements in sub-subparagraphs b., d., and e.

212 ~~2. The introductory course in child care shall stress, to~~
213 ~~the extent possible, an interdisciplinary approach to the study~~
214 ~~of children.~~

215 2.3. The introductory course shall cover recognition and
216 prevention of shaken baby syndrome; prevention of sudden infant
217 death syndrome; recognition and care of infants and toddlers
218 with developmental disabilities, including autism spectrum
219 disorder and Down syndrome; and early childhood brain
220 development within the topic areas identified in this paragraph.

221 3.4. On an annual basis in order to further their child
222 care skills and, if appropriate, administrative skills, child
223 care personnel who have fulfilled the requirements for the child
224 care training shall be required to take an additional 1
225 continuing education unit of approved inservice training, or 10

226 | clock hours of equivalent training, as determined by the
227 | department.

228 | ~~4.5.~~ Child care personnel shall be required to complete
229 | 0.5 continuing education unit of approved training or 5 clock
230 | hours of equivalent training, as determined by the department,
231 | in early literacy and language development of children from
232 | birth to 5 years of age one time. The year that this training is
233 | completed, it shall fulfill the 0.5 continuing education unit or
234 | 5 clock hours of the annual training required in subparagraph 3.
235 | ~~4.~~

236 | ~~5.6.~~ Procedures for ensuring the training of qualified
237 | child care professionals to provide training of child care
238 | personnel, including onsite training, shall be included in the
239 | minimum standards. It is recommended that the state community
240 | child care coordination agencies (central agencies) be
241 | contracted by the department to coordinate such training when
242 | possible. Other district educational resources, such as
243 | community colleges and career programs, can be designated in
244 | such areas where central agencies may not exist or are
245 | determined not to have the capability to meet the coordination
246 | requirements set forth by the department.

247 | ~~6.7.~~ Training requirements do ~~shall~~ not apply to certain
248 | occasional or part-time support staff, including, but not
249 | limited to, swimming instructors, piano teachers, dance
250 | instructors, and gymnastics instructors.

251 ~~7.8.~~ The child care operator shall be required to take
252 basic training in serving children with disabilities within 5
253 years after employment, either as a part of the introductory
254 training or the annual 8 hours of inservice training.

255 (f) Periodic health examinations for child care facility
256 drivers.

257 (7) SANITATION AND SAFETY.—

258 (a) Minimum standards must ~~shall~~ include requirements for
259 sanitary and safety conditions, first aid treatment, emergency
260 procedures, and pediatric cardiopulmonary resuscitation. The
261 minimum standards must ~~shall~~ require that at least one staff
262 person trained in person in cardiopulmonary resuscitation, as
263 evidenced by current documentation of course completion, ~~must~~ be
264 present at all times that children are present.

265 ~~(c) Some type of communications system, such as a pocket~~
266 ~~pager or beeper, shall be provided to a parent whose child is in~~
267 ~~drop-in child care to ensure the immediate return of the parent~~
268 ~~to the child, if necessary.~~

269 (9) ADMISSIONS AND RECORDKEEPING.—

270 (a) Minimum standards shall include requirements for
271 preadmission and periodic health examinations, requirements for
272 immunizations, and requirements for maintaining emergency
273 information and health records on all children.

274 ~~(b) During the months of August and September of each~~
275 ~~year, each child care facility shall provide parents of children~~

276 ~~enrolled in the facility detailed information regarding the~~
277 ~~causes, symptoms, and transmission of the influenza virus in an~~
278 ~~effort to educate those parents regarding the importance of~~
279 ~~immunizing their children against influenza as recommended by~~
280 ~~the Advisory Committee on Immunization Practices of the Centers~~
281 ~~for Disease Control and Prevention.~~

282 ~~(c) During the months of April and September of each year,~~
283 ~~at a minimum, each facility shall provide parents of children~~
284 ~~enrolled in the facility information regarding the potential for~~
285 ~~a distracted adult to fail to drop off a child at the facility~~
286 ~~and instead leave the child in the adult's vehicle upon arrival~~
287 ~~at the adult's destination. The child care facility shall also~~
288 ~~give parents information about resources with suggestions to~~
289 ~~avoid this occurrence. The department shall develop a flyer or~~
290 ~~brochure with this information that shall be posted to the~~
291 ~~department's website, which child care facilities may choose to~~
292 ~~reproduce and provide to parents to satisfy the requirements of~~
293 ~~this paragraph.~~

294 (b) ~~(d)~~ Because of the nature and duration of drop-in child
295 care, requirements for preadmission and periodic health
296 examinations and requirements for medically signed records of
297 immunization required for child care facilities shall not apply.
298 A parent of a child in drop-in child care shall, however, be
299 required to attest to the child's health condition and the type
300 and current status of the child's immunizations.

301 (c)~~(e)~~ Any child shall be exempt from medical or physical
302 examination or medical or surgical treatment upon written
303 request of the parent or guardian of such child who objects to
304 the examination and treatment. However, the laws, rules, and
305 regulations relating to contagious or communicable diseases and
306 sanitary matters shall not be violated because of any exemption
307 from or variation of the health and immunization minimum
308 standards.

309 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure
310 that each child care facility has and implements a written plan
311 for the daily provision of varied activities and active and
312 quiet play opportunities appropriate to the age of the child.
313 ~~The written plan must include a program, to be implemented~~
314 ~~periodically for children of an appropriate age, which will~~
315 ~~assist the children in preventing and avoiding physical and~~
316 ~~mental abuse.~~

317 ~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF~~
318 ~~MILDLY ILL CHILDREN.—Minimum standards shall be developed by the~~
319 ~~department, in conjunction with the Department of Health, for~~
320 ~~specialized child care facilities for the care of mildly ill~~
321 ~~children. The minimum standards shall address the following~~
322 ~~areas: personnel requirements; staff-to-child ratios; staff~~
323 ~~training and credentials; health and safety; physical facility~~
324 ~~requirements, including square footage; client eligibility,~~
325 ~~including a definition of "mildly ill children"; sanitation and~~

326 ~~safety; admission and recordkeeping; dispensing of medication;~~
 327 ~~and a schedule of activities.~~

328 (18) TRANSFER OF OWNERSHIP.—

329 (a) One week before ~~prior to~~ the transfer of ownership of
 330 a child care facility or family child ~~day~~ care home, the
 331 transferor shall notify the parent or caretaker of each child of
 332 the impending transfer.

333 **Section 3. Subsections (1) and (3) of section 402.306,**
 334 **Florida Statutes, are amended to read:**

335 402.306 Designation of licensing agency; dissemination by
 336 the department and local licensing agency of information on
 337 child care.—

338 (1) (a) Any county whose licensing standards meet or exceed
 339 state minimum standards may:

340 1.(a) Designate a local licensing agency to license child
 341 care facilities in the county; or

342 2.(b) Contract with the department to delegate the
 343 administration of state minimum standards in the county to the
 344 department.

345 (b) The decision to designate a local licensing agency
 346 under subparagraph (a)1. must be annually affirmed by a majority
 347 vote of the county commission.

348 (3) The department and local licensing agencies, or the
 349 designees thereof, shall be responsible for coordination and
 350 dissemination of information on child care to the community and

351 shall make available through electronic means all licensing
352 standards and procedures, health and safety standards for school
353 readiness providers, monitoring and inspection reports, and the
354 names and addresses of licensed child care facilities, school
355 readiness program providers, and, where applicable pursuant to
356 s. 402.313, licensed or registered family child ~~day~~ care homes.
357 This information shall also include the number of deaths,
358 serious injuries, and instances of substantiated child abuse
359 that have occurred in child care settings each year; research
360 and best practices in child development; and resources regarding
361 social-emotional development, parent and family engagement,
362 healthy eating, and physical activity.

363 **Section 4. Section 402.3115, Florida Statutes, is amended**
364 **to read:**

365 402.3115 Elimination of duplicative and unnecessary
366 inspections; abbreviated inspections.—

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

372 (2) (a) ~~In addition,~~ The department and the local
373 governmental agencies shall develop and implement an abbreviated
374 inspection plan for child care facilities, family child care
375 homes, and large family child care homes that meet all of the

376 following conditions:

377 1. Have been licensed for at least 2 consecutive years.

378 2. Have not had a ~~ne~~ Class 1 deficiency, as defined by
379 rule, for at least 2 consecutive years.

380 3. Have not had more than three of the same ~~or~~ Class 2
381 deficiencies, as defined by rule, for at least 2 consecutive
382 years.

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

385 5. Do not have any current uncorrected violations.

386 6. Do not have any open regulatory complaints or active
387 child protective services investigations.

388 (b) The abbreviated inspection must include those elements
389 identified by the department and the local governmental agencies
390 as being key indicators of whether the child care facility
391 continues to provide quality care and programming and must be
392 updated every 5 years.

393 (3) The department shall revise the plan under subsection
394 (1) as necessary to maintain the validity and effectiveness of
395 inspections.

396 **Section 5. Section 402.313, Florida Statutes, is amended**
397 **to read:**

398 402.313 Family child ~~day~~ care homes.—

399 (1) Family child ~~day~~ care homes shall be licensed under
400 this act if they are presently being licensed under an existing

401 county licensing ordinance or if the board of county
402 commissioners passes a resolution that family child ~~day~~ care
403 homes be licensed.

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

407 1. The name and address of the home.

408 2. The name of the operator.

409 3. The number of children served.

410 4. Proof of a written plan to provide at least one other
411 competent adult to be available to substitute for the operator
412 in an emergency. This plan shall include the name, address, and
413 telephone number of the designated substitute.

414 5. Proof of screening and background checks.

415 6. Proof of successful completion of the 30-hour training
416 course, as evidenced by passage of a competency examination,
417 which shall include:

418 a. State and local rules and regulations that govern child
419 care.

420 b. Health, safety, and nutrition.

421 c. Identifying and reporting child abuse and neglect.

422 d. Child development, including typical and atypical
423 language development; and cognitive, motor, social, and self-
424 help skills development.

425 e. Observation of developmental behaviors, including using

426 a checklist or other similar observation tools and techniques to
427 determine a child's developmental level.

428 f. Specialized areas, including early literacy and
429 language development of children from birth to 5 years of age,
430 as determined by the department, for owner-operators of family
431 child day care homes.

432 ~~7. Proof that immunization records are kept current.~~

433 ~~7.8.~~ Proof of completion of the required continuing
434 education units or clock hours.

435 (b) Operators of registered family child care homes shall
436 annually complete a health and safety home inspection self-
437 evaluation checklist developed by the department in conjunction
438 with the statewide resource and referral program. The completed
439 checklist shall be signed by the operator of the family child
440 care home and provided to parents as certification that basic
441 health and safety standards are being met.

442 (c) ~~(b)~~ A registered family child day care home may
443 volunteer to be licensed under this act.

444 (d) ~~(e)~~ The department may provide technical assistance to
445 counties and family child day care home providers to enable
446 counties and family child day care providers to achieve
447 compliance with family child day care homes standards.

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

451 (3) Child care personnel in family child ~~day~~ care homes
452 shall be subject to the applicable screening provisions
453 contained in ss. 402.305(2) and 402.3055. For purposes of
454 screening child care personnel in family child ~~day~~ care homes,
455 the term "child care personnel" includes any member of a family
456 child care home operator's family ~~over the age of 12 years of~~
457 age or older ~~a family day care home operator's family~~, or any
458 ~~persons over the age of 12 years~~ of age or older residing with
459 the operator in the family child ~~day~~ care home. Members of the
460 operator's family, or persons residing with the operator, who
461 are between the ages of 12 years and 18 years, inclusive shall
462 not be required to be fingerprinted, but shall be screened for
463 delinquency records.

464 (4) Operators of family child ~~day~~ care homes must
465 successfully complete an approved 30-clock-hour introductory
466 course in child care, as evidenced by passage of a competency
467 examination, before caring for children.

468 (5) In order to further develop their child care skills
469 and, if appropriate, their administrative skills, operators of
470 family child ~~day~~ care homes shall be required to complete an
471 additional 1 continuing education unit of approved training or
472 10 clock hours of equivalent training, as determined by the
473 department, annually.

474 (6) Operators of family child ~~day~~ care homes shall be
475 required to complete 0.5 continuing education unit of approved

476 training in early literacy and language development of children
477 from birth to 5 years of age one time. The year that this
478 training is completed, it shall fulfill the 0.5 continuing
479 education unit or 5 clock hours of the annual training required
480 in subsection (5).

481 ~~(7) Operators of family day care homes shall be required~~
482 ~~annually to complete a health and safety home inspection self-~~
483 ~~evaluation checklist developed by the department in conjunction~~
484 ~~with the statewide resource and referral program. The completed~~
485 ~~checklist shall be signed by the operator of the family day care~~
486 ~~home and provided to parents as certification that basic health~~
487 ~~and safety standards are being met.~~

488 (7)~~(8)~~ Family child ~~day~~ care home operators may avail
489 themselves of supportive services offered by the department.

490 (8)~~(9)~~ The department shall prepare a brochure on family
491 child ~~day~~ care for distribution by the department and by local
492 licensing agencies, if appropriate, to family child ~~day~~ care
493 homes for distribution to parents utilizing such child care, and
494 to all interested persons, including physicians and other health
495 professionals; mental health professionals; school teachers or
496 other school personnel; social workers or other professional
497 child care, foster care, residential, or institutional workers;
498 and law enforcement officers. The brochure shall, at a minimum,
499 contain the following information:

500 (a) A brief description of the requirements for family

501 child ~~day~~ care registration, training, and fingerprinting and
502 screening.

503 (b) A listing of those counties that require licensure of
504 family child ~~day~~ care homes. Such counties shall provide an
505 addendum to the brochure that provides a brief description of
506 the licensure requirements or may provide a brochure in lieu of
507 the one described in this subsection, provided it contains all
508 the required information on licensure and the required
509 information in the subsequent paragraphs.

510 (c) A statement indicating that information about the
511 family child ~~day~~ care home's compliance with applicable state or
512 local requirements can be obtained by telephoning the department
513 office or the office of the local licensing agency, if
514 appropriate, at a telephone number or numbers which shall be
515 affixed to the brochure.

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

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

525 (9) ~~(10)~~ On an annual basis, the department shall evaluate

526 the registration and licensure system for family child ~~day~~ care
 527 homes. Such evaluation shall, at a minimum, address the
 528 following:

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

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

534 (c) The number of complaints received concerning family
 535 child ~~day~~ care, the nature of the complaints, and the resolution
 536 of such complaints.

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

540
 541 The evaluation shall be utilized by the department in any
 542 administrative modifications or adjustments to be made in the
 543 registration of family child ~~day~~ care homes or in any
 544 legislative requests for modifications to the system of
 545 registration or to other requirements for family child ~~day~~ care
 546 homes.

547 ~~(11) In order to inform the public of the state~~
 548 ~~requirement for registration of family day care homes as well as~~
 549 ~~the other requirements for such homes to legally operate in the~~
 550 ~~state, the department shall institute a media campaign to~~

551 ~~accomplish this end. Such a campaign shall include, at a~~
552 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~
553 ~~and television advertisements.~~

554 (10)~~(12)~~ Notwithstanding any other state or local law or
555 ordinance, any family child ~~day~~ care home licensed pursuant to
556 this chapter or pursuant to a county ordinance shall be charged
557 the utility rates accorded to a residential home. A licensed
558 family child ~~day~~ care home may not be charged commercial utility
559 rates.

560 (11)~~(13)~~ The department shall, by rule, establish minimum
561 standards for family child ~~day~~ care homes that are required to
562 be licensed by county licensing ordinance or county licensing
563 resolution or that voluntarily choose to be licensed. The
564 standards should include requirements for staffing, training,
565 maintenance of immunization records, minimum health and safety
566 standards, reduced standards for the regulation of child care
567 during evening hours by municipalities and counties, and
568 enforcement of standards.

569 ~~(14) During the months of August and September of each~~
570 ~~year, each family day care home shall provide parents of~~
571 ~~children enrolled in the home detailed information regarding the~~
572 ~~causes, symptoms, and transmission of the influenza virus in an~~
573 ~~effort to educate those parents regarding the importance of~~
574 ~~immunizing their children against influenza as recommended by~~
575 ~~the Advisory Committee on Immunization Practices of the Centers~~

576 ~~for Disease Control and Prevention.~~

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

590 **Section 6. Subsections (1), (6), (9), and (10) of section**
591 **402.3131, Florida Statutes, are amended to read:**

592 402.3131 Large family child care homes.—

593 (1) Large family child care homes shall be licensed under
594 this section.

595 (a) A licensed family child ~~day~~ care home must first have
596 operated for a minimum of 2 consecutive years, with an operator
597 who has had a child development associate credential or its
598 equivalent for 1 year, before seeking licensure as a large
599 family child care home.

600 (b) The department may provide technical assistance to

601 counties and family child ~~day~~ care home providers to enable the
602 counties and providers to achieve compliance with minimum
603 standards for large family child care homes.

604 ~~(6) The department shall prepare a brochure on large
605 family child care homes for distribution to the general public.~~

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

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

626 ~~satisfy the requirements of this subsection.~~

627 **Section 7. Section 402.316, Florida Statutes, is amended**
628 **to read:**

629 402.316 Exemptions.—

630 (1) The provisions of ss. 402.301-402.319, except for the
631 requirements regarding screening of child care personnel, do
632 ~~shall~~ not apply to a child care facility which is an integral
633 part of church or parochial schools, or a child care facility
634 that solely provides child care to eligible children as defined
635 in s. 402.261(1)(c), conducting regularly scheduled classes,
636 courses of study, or educational programs accredited by, or by a
637 member of, an organization which publishes and requires
638 compliance with its standards for health, safety, and
639 sanitation. However, such facilities shall meet minimum
640 requirements of the applicable local governing body as to
641 health, sanitation, and safety and shall meet the screening
642 requirements pursuant to ss. 402.305 and 402.3055. Failure by a
643 facility to comply with such screening requirements shall result
644 in the loss of the facility's exemption from licensure.

645 (2) The provisions of ss. 402.301-402.319 do not apply to
646 a child care facility or family child care home if the child
647 care facility or family child care home has a certificate issued
648 by the United States Department of Defense or by the United
649 States Coast Guard to provide child care and has completed
650 background screening by the United States Department of Defense

651 pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and
652 received a favorable suitability and fitness determination. If
653 the child care facility or family child care home elects to
654 serve children ineligible for care under the Department of
655 Defense Instruction 6060.02, the child care facility or family
656 child care home must be licensed under chapter 402.

657 ~~(3)(2) Any county or city with state or local child care~~
658 ~~licensing programs in existence on July 1, 1974, will continue~~
659 ~~to license the child care facility facilities as covered by such~~
660 ~~programs, notwithstanding the exemption under provisions of~~
661 ~~subsection (1), desiring to be licensed, is authorized to do so~~
662 ~~by submitting an application to the department or local~~
663 ~~licensing agency pursuant to s. 402.308(4) until and unless the~~
664 ~~licensing agency makes a determination to exempt them.~~

665 ~~(4)(3) The department and the local licensing agency~~
666 ~~pursuant to s. 402.308(4) shall adopt rules to administer and~~
667 ~~implement the this section, including, but not limited to, any~~
668 ~~assessments of previous licensure history Any child care~~
669 ~~facility covered by the exemption provisions of subsection (1),~~
670 ~~but desiring to be included in this act, is authorized to do so~~
671 ~~by submitting notification to the department. Once licensed,~~
672 ~~such facility cannot withdraw from the act and continue to~~
673 ~~operate.~~

674 **Section 8. Section 627.70161, Florida Statutes, is amended**
675 **to read:**

676 627.70161 Family child day care and large family child
677 care insurance.—

678 (1) PURPOSE AND INTENT.—The Legislature recognizes that
679 family child day care and large family child care homes fulfill
680 a vital role in providing child care in Florida. It is the
681 intent of the Legislature that residential property insurance
682 coverage should not be canceled, denied, or nonrenewed solely on
683 the basis of the child care ~~family day care~~ services at the
684 residence. The Legislature also recognizes that the potential
685 liability of residential property insurers is substantially
686 increased by the rendition of child care services on the
687 premises. The Legislature therefore finds that there is a public
688 need to specify that contractual liabilities that arise in
689 connection with the operation of the family child day care home
690 or the large family child care home are excluded from
691 residential property insurance policies unless they are
692 specifically included in such coverage.

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

694 (a) "Child care" means the care, protection, and
695 supervision of a child, for a period of less than 24 hours a day
696 on a regular basis, which supplements parental care, enrichment,
697 and health supervision for the child, in accordance with his or
698 her individual needs, and for which a payment, fee, or grant is
699 made for care.

700 (b) "Family child day care home" means an occupied

701 residence in which child care is regularly provided for children
702 from at least two unrelated families and which receives a
703 payment, fee, or grant for any of the children receiving care,
704 whether or not operated for a profit.

705 (c) "Large family child care home" means an occupied
706 residence in which child care is regularly provided for children
707 from at least two unrelated families, which receives a payment,
708 fee, or grant for any of the children receiving care, regardless
709 of whether operated for profit, and which has at least two full-
710 time child care personnel on the premises during the hours of
711 operation. One of the two full-time child care personnel must be
712 the owner or occupant of the residence. A large family child
713 care home must first have operated as a licensed family child
714 care home for at least 2 years, with an operator who has held a
715 child development associate credential or its equivalent for at
716 least 1 year, before seeking licensure as a large family child
717 care home. Household children under 13 years of age, when on the
718 premises of the large family child care home or on a field trip
719 with children enrolled in child care, must be included in the
720 overall capacity of the licensed home. A large family child care
721 home may provide care for one of the following groups of
722 children, which must include household children under 13 years
723 of age:

724 1. A maximum of eight children from birth to 24 months of
725 age.

726 2. A maximum of 12 children, with no more than four
 727 children under 24 months of age.

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

735 (a) Specifically covered in a policy; or

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

738 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
 739 insurer may not deny, cancel, or refuse to renew a policy for
 740 residential property insurance solely on the basis that the
 741 policyholder or applicant operates a family child day care home
 742 or a large family child care home. In addition to other lawful
 743 reasons for refusing to insure, an insurer may deny, cancel, or
 744 refuse to renew a policy of a family child day care home or a
 745 large family child care home provider if one or more of the
 746 following conditions occur:

747 (a) The policyholder or applicant provides care for more
 748 children than authorized ~~for family day care homes~~ by s.
 749 402.302;

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

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

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

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

763 **Section 9. Paragraph (a) of subsection (2) of section**
764 **39.202, Florida Statutes, is amended to read:**

765 39.202 Confidentiality of reports and records in cases of
766 child abuse or neglect; exception.—

767 (2) Except as provided in subsection (4), access to such
768 records, excluding the name of, or other identifying information
769 with respect to, the reporter which may only be released as
770 provided in subsection (5), may only be granted to the following
771 persons, officials, and agencies:

772 (a) Employees, authorized agents, or contract providers of
773 the department, the Department of Health, the Agency for Persons
774 with Disabilities, the Agency for Health Care Administration,
775 the Department of Education, or county agencies responsible for

776 carrying out:

- 777 1. Child or adult protective investigations;
- 778 2. Ongoing child or adult protective services;
- 779 3. Early intervention and prevention services;
- 780 4. Healthy Start services;
- 781 5. Licensure or approval of adoptive homes, foster homes,
- 782 child care facilities, facilities licensed under chapters 393
- 783 and 394, family child day care homes, providers who receive
- 784 school readiness funding under part VI of chapter 1002, or other
- 785 homes used to provide for the care and welfare of children;
- 786 6. Employment screening for caregivers in residential
- 787 group homes and facilities licensed under chapters 393, 394, and
- 788 409; or
- 789 7. Services for victims of domestic violence when provided
- 790 by certified domestic violence centers working at the
- 791 department's request as case consultants or with shared clients.

792
 793 Also, employees or agents of the Department of Juvenile Justice
 794 responsible for the provision of services to children, pursuant
 795 to chapters 984 and 985.

796 **Section 10. Section 125.0109, Florida Statutes, is amended**
 797 **to read:**

798 125.0109 Family child day care homes; local zoning
 799 regulation.—The operation of a residence as a family child day
 800 care home, as defined by law, registered or licensed with the

801 Department of Children and Families shall constitute a valid
802 residential use for purposes of any local zoning regulations,
803 and no such regulation shall require the owner or operator of
804 such family child ~~day~~ care home to obtain any special exemption
805 or use permit or waiver, or to pay any special fee in excess of
806 \$50, to operate in an area zoned for residential use.

807 **Section 11. Section 166.0445, Florida Statutes, is amended**
808 **to read:**

809 166.0445 Family child ~~day~~ care homes; local zoning
810 regulation.—The operation of a residence as a family child ~~day~~
811 care home, as defined by law, registered or licensed with the
812 Department of Children and Families shall constitute a valid
813 residential use for purposes of any local zoning regulations,
814 and no such regulation shall require the owner or operator of
815 such family child ~~day~~ care home to obtain any special exemption
816 or use permit or waiver, or to pay any special fee in excess of
817 \$50, to operate in an area zoned for residential use.

818 **Section 12. Paragraph (j) of subsection (7) of section**
819 **212.08, Florida Statutes, is amended to read:**

820 212.08 Sales, rental, use, consumption, distribution, and
821 storage tax; specified exemptions.—The sale at retail, the
822 rental, the use, the consumption, the distribution, and the
823 storage to be used or consumed in this state of the following
824 are hereby specifically exempt from the tax imposed by this
825 chapter.

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

844 (j) Household fuels.—Also exempt from payment of the tax
 845 imposed by this chapter are sales of utilities to residential
 846 households or owners of residential models in this state by
 847 utility companies who pay the gross receipts tax imposed under
 848 s. 203.01, and sales of fuel to residential households or owners
 849 of residential models, including oil, kerosene, liquefied
 850 petroleum gas, coal, wood, and other fuel products used in the

851 household or residential model for the purposes of heating,
852 cooking, lighting, and refrigeration, regardless of whether such
853 sales of utilities and fuels are separately metered and billed
854 direct to the residents or are metered and billed to the
855 landlord. If any part of the utility or fuel is used for a
856 nonexempt purpose, the entire sale is taxable. The landlord
857 shall provide a separate meter for nonexempt utility or fuel
858 consumption. For the purposes of this paragraph, licensed family
859 child ~~day~~ care homes shall also be exempt.

860 **Section 13. Subsections (3), (8), (9), and (11) of section**
861 **402.302, Florida Statutes, are amended to read:**

862 402.302 Definitions.—As used in this chapter, the term:

863 (3) "Child care personnel" means all owners, operators,
864 employees, and volunteers working in a child care facility. The
865 term does not include persons who work in a child care facility
866 after hours when children are not present or parents of children
867 in a child care facility. For purposes of screening, the term
868 includes any member, over the age of 12 years, of a child care
869 facility operator's family, or person, over the age of 12 years,
870 residing with a child care facility operator if the child care
871 facility is located in or adjacent to the home of the operator
872 or if the family member of, or person residing with, the child
873 care facility operator has any direct contact with the children
874 in the facility during its hours of operation. Members of the
875 operator's family or persons residing with the operator who are

876 between the ages of 12 years and 18 years are not required to be
877 fingerprinted but must be screened for delinquency records. For
878 purposes of screening, the term also includes persons who work
879 in child care programs that provide care for children 15 hours
880 or more each week in public or nonpublic schools, family child
881 ~~day~~ care homes, membership organizations under s. 402.301, or
882 programs otherwise exempted under s. 402.316. The term does not
883 include public or nonpublic school personnel who are providing
884 care during regular school hours, or after hours for activities
885 related to a school's program for grades kindergarten through
886 12. A volunteer who assists on an intermittent basis for less
887 than 10 hours per month is not included in the term "personnel"
888 for the purposes of screening and training if a person who meets
889 the screening requirement of s. 402.305(2) is always present and
890 has the volunteer in his or her line of sight. Students who
891 observe and participate in a child care facility as a part of
892 their required coursework are not considered child care
893 personnel, provided such observation and participation are on an
894 intermittent basis and a person who meets the screening
895 requirement of s. 402.305(2) is always present and has the
896 student in his or her line of sight.

897 (8) "Family child ~~day~~ care home" means an occupied
898 residence in which child care is regularly provided for children
899 from at least two unrelated families and which receives a
900 payment, fee, or grant for any of the children receiving care,

901 whether or not operated for profit. Household children under 13
902 years of age, when on the premises of the family child ~~day~~ care
903 home or on a field trip with children enrolled in child care,
904 shall be included in the overall capacity of the licensed home.
905 A family child ~~day~~ care home shall be allowed to provide care
906 for one of the following groups of children, which shall include
907 household children under 13 years of age:

908 (a) A maximum of four children from birth to 12 months of
909 age.

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

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

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

917 (9) "Household children" means children who are related by
918 blood, marriage, or legal adoption to, or who are the legal
919 wards of, the family child ~~day~~ care home operator, the large
920 family child care home operator, or an adult household member
921 who permanently or temporarily resides in the home. Supervision
922 of the operator's household children shall be left to the
923 discretion of the operator unless those children receive
924 subsidized child care through the school readiness program
925 pursuant to s. 1002.92 to be in the home.

926 (11) "Large family child care home" means an occupied
927 residence in which child care is regularly provided for children
928 from at least two unrelated families, which receives a payment,
929 fee, or grant for any of the children receiving care, whether or
930 not operated for profit, and which has at least two full-time
931 child care personnel on the premises during the hours of
932 operation. One of the two full-time child care personnel must be
933 the owner or occupant of the residence. A large family child
934 care home must first have operated as a licensed family child
935 ~~day~~ care home for 2 years, with an operator who has had a child
936 development associate credential or its equivalent for 1 year,
937 before seeking licensure as a large family child care home.
938 Household children under 13 years of age, when on the premises
939 of the large family child care home or on a field trip with
940 children enrolled in child care, shall be included in the
941 overall capacity of the licensed home. A large family child care
942 home shall be allowed to provide care for one of the following
943 groups of children, which shall include household children under
944 13 years of age:

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

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

949 **Section 14. Subsections (1) and (2) and paragraph (a) of**
950 **subsection (3) of section 402.309, Florida Statutes, are amended**

951 **to read:**

952 402.309 Provisional license or registration.—

953 (1) The local licensing agency or the department,
954 whichever is authorized to license child care facilities in a
955 county, may issue a provisional license for child care
956 facilities, family child ~~day~~ care homes, or large family child
957 care homes, or a provisional registration for family child ~~day~~
958 care homes to applicants for an initial license or registration
959 or to licensees or registrants seeking a renewal who are unable
960 to meet all the standards provided for in ss. 402.301-402.319.

961 (2) A provisional license or registration may not be
962 issued unless the operator or owner makes adequate provisions
963 for the health and safety of the child. A provisional license
964 may be issued for a child care facility if all of the screening
965 materials have been timely submitted. A provisional license or
966 registration may not be issued unless the child care facility,
967 family child ~~day~~ care home, or large family child care home is
968 in compliance with the requirements for screening of child care
969 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
970 respectively.

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

975 (a) Is applying for an initial license or registration for

976 a child care facility, a family child ~~day~~ care home, or a large
 977 family child care home;

978 **Section 15. Paragraph (d) of subsection (1) and subsection**
 979 **(4) of section 402.310, Florida Statutes, are amended to read:**

980 402.310 Disciplinary actions; hearings upon denial,
 981 suspension, or revocation of license or registration;
 982 administrative fines.—

983 (1)

984 (d) The disciplinary sanctions ~~set forth~~ in this section
 985 apply to licensed child care facilities, licensed large family
 986 child care homes, and licensed or registered family child ~~day~~
 987 care homes.

988 (4) An applicant, registrant, or licensee shall have the
 989 right to appeal a decision of the local licensing agency to a
 990 representative of the department. Any required hearing shall be
 991 held in the county in which the child care facility, family
 992 child ~~day~~ care home, or large family child care home is being
 993 operated or is to be established. The hearing shall be conducted
 994 in accordance with ~~the provisions of~~ chapter 120.

995 **Section 16. Section 402.312, Florida Statutes, is amended**
 996 **to read:**

997 402.312 License required; injunctive relief.—

998 (1) The operation of a child care facility without a
 999 license, a family child ~~day~~ care home without a license or
 1000 registration, or a large family child care home without a

1001 license is prohibited. If the department or the local licensing
1002 agency discovers that a child care facility is being operated
1003 without a license, a family child ~~day~~ care home is being
1004 operated without a license or registration, or a large family
1005 child care home is being operated without a license, the
1006 department or local licensing agency is authorized to seek an
1007 injunction in the circuit court where the facility is located to
1008 enjoin continued operation of such facility, family child ~~day~~
1009 care home, or large family child care home. When the court is
1010 closed for the transaction of judicial business, the department
1011 or local licensing agency is authorized to seek an emergency
1012 injunction to enjoin continued operation of such unlicensed
1013 facility, unregistered or unlicensed family child ~~day~~ care home,
1014 or unlicensed large family child care home, which injunction
1015 shall be continued, modified, or revoked on the next day of
1016 judicial business.

1017 (2) Other grounds for seeking an injunction to close a
1018 child care facility, family child ~~day~~ care home, or a large
1019 family child care home are that:

1020 (a) There is any violation of the standards applied under
1021 ss. 402.301-402.319 which threatens harm to any child in the
1022 child care facility, a family child ~~day~~ care home, or large
1023 family child care home.

1024 (b) A licensee or registrant has repeatedly violated the
1025 standards provided for under ss. 402.301-402.319.

1026 (c) A child care facility, family child ~~day~~ care home, or
 1027 large family child care home continues to have children in
 1028 attendance after the closing date established by the department
 1029 or the local licensing agency.

1030 (3) The department or local licensing agency may impose an
 1031 administrative fine on any child care facility, family child ~~day~~
 1032 care home, or large family child care home operating without a
 1033 license or registration, consistent with ~~the provisions of s.~~
 1034 402.310.

1035 **Section 17. Paragraphs (a), (b), and (c) of subsection (3)**
 1036 **of section 402.315, Florida Statutes, are amended to read:**

1037 402.315 Funding; license fees.—

1038 (3) The department shall collect a fee for any license it
 1039 issues for a child care facility, family child ~~day~~ care home, or
 1040 large family child care home pursuant to ss. 402.305, 402.313,
 1041 and 402.3131.

1042 (a) For a child care facility licensed pursuant to s.
 1043 402.305, such fee shall be \$1 per child, based on the licensed
 1044 capacity of the facility, except that the minimum fee shall be
 1045 \$25 per facility and the maximum fee shall be \$100 per facility.

1046 (b) For a family child ~~day~~ care home registered pursuant
 1047 to s. 402.313, such fee shall be \$25.

1048 (c) For a family child ~~day~~ care home licensed pursuant to
 1049 s. 402.313, such fee shall be \$50.

1050 **Section 18. Section 402.318, Florida Statutes, is amended**

1051 **to read:**

1052 402.318 Advertisement.—A person, as defined in s. 1.01(3),
 1053 may not advertise a child care facility, family child ~~day~~ care
 1054 home, or large family child care home without including within
 1055 such advertisement the state or local agency license number or
 1056 registration number of such facility or home. Violation of this
 1057 section is a misdemeanor of the first degree, punishable as
 1058 provided in s. 775.082 or s. 775.083.

1059 **Section 19. Section 402.319, Florida Statutes, is amended**
 1060 **to read:**

1061 402.319 Penalties.—

1062 (1) It is a misdemeanor of the first degree, punishable as
 1063 provided in s. 775.082 or s. 775.083, for any person knowingly
 1064 to:

1065 (a) Fail, by false statement, misrepresentation,
 1066 impersonation, or other fraudulent means, to disclose in any
 1067 application for voluntary or paid employment or licensure
 1068 regulated under ss. 402.301-402.318 all information required
 1069 under those sections or a material fact used in making a
 1070 determination as to such person's qualifications to be child
 1071 care personnel, as defined in s. 402.302, in a child care
 1072 facility, family child ~~day~~ care home, or other child care
 1073 program.

1074 (b) Operate or attempt to operate a child care facility
 1075 without having procured a license as required by this act.

1076 (c) Operate or attempt to operate a family child ~~day~~ care
 1077 home without a license or without registering with the
 1078 department, whichever is applicable.

1079 (d) Operate or attempt to operate a child care facility or
 1080 family child ~~day~~ care home under a license that is suspended,
 1081 revoked, or terminated.

1082 (e) Misrepresent, by act or omission, a child care
 1083 facility or family child ~~day~~ care home to be duly licensed
 1084 pursuant to this act without being so licensed.

1085 (f) Make any other misrepresentation, by act or omission,
 1086 regarding the licensure or operation of a child care facility or
 1087 family child ~~day~~ care home to a parent or guardian who has a
 1088 child placed in the facility or is inquiring as to placing a
 1089 child in the facility, or to a representative of the licensing
 1090 authority, or to a representative of a law enforcement agency,
 1091 including, but not limited to, any misrepresentation as to:

1092 1. The number of children at the child care facility or
 1093 the family child ~~day~~ care home;

1094 2. The part of the child care facility or family child ~~day~~
 1095 care home designated for child care;

1096 3. The qualifications or credentials of child care
 1097 personnel;

1098 4. Whether a family child ~~day~~ care home or child care
 1099 facility complies with the screening requirements of s. 402.305;
 1100 or

1101 5. Whether child care personnel have the training as
1102 required by s. 402.305.

1103 (2) If any child care personnel makes any
1104 misrepresentation in violation of this section to a parent or
1105 guardian who has placed a child in the child care facility or
1106 family child ~~day~~ care home, and the parent or guardian relied
1107 upon the misrepresentation, and the child suffers great bodily
1108 harm, permanent disfigurement, permanent disability, or death as
1109 a result of an intentional act or negligence by the child care
1110 personnel, then the child care personnel commits a felony of the
1111 second degree, punishable as provided in s. 775.082, s. 775.083,
1112 or s. 775.084.

1113 (3) Each child care facility, family child ~~day~~ care home,
1114 and large family child care home shall annually submit an
1115 affidavit of compliance with s. 39.201.

1116 **Section 20. Paragraph (c) of subsection (2) of section**
1117 **409.988, Florida Statutes, is amended to read:**

1118 409.988 Community-based care lead agency duties; general
1119 provisions.—

1120 (2) LICENSURE.—

1121 (c) Substitute care providers who are licensed under s.
1122 409.175 and who have contracted with a lead agency are also
1123 authorized to provide registered or licensed family child ~~day~~
1124 care under s. 402.313 if such care is consistent with federal
1125 law and if the home has met the requirements of s. 402.313.

1126 **Section 21. Paragraph (b) of subsection (8) of section**
1127 **411.203, Florida Statutes, is amended to read:**

1128 411.203 Continuum of comprehensive services.—The
1129 Department of Education and the Department of Health shall
1130 utilize the continuum of prevention and early assistance
1131 services for high-risk pregnant women and for high-risk and
1132 handicapped children and their families, as outlined in this
1133 section, as a basis for the intraagency and interagency program
1134 coordination, monitoring, and analysis required in this chapter.
1135 The continuum shall be the guide for the comprehensive statewide
1136 approach for services for high-risk pregnant women and for high-
1137 risk and handicapped children and their families, and may be
1138 expanded or reduced as necessary for the enhancement of those
1139 services. Expansion or reduction of the continuum shall be
1140 determined by intraagency or interagency findings and agreement,
1141 whichever is applicable. Implementation of the continuum shall
1142 be based upon applicable eligibility criteria, availability of
1143 resources, and interagency prioritization when programs impact
1144 both agencies, or upon single agency prioritization when
1145 programs impact only one agency. The continuum shall include,
1146 but not be limited to:

1147 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1148 OF HIGH-RISK CHILDREN.—

1149 (b) Child care and early childhood programs, including,
1150 but not limited to, licensed child care facilities, family child

1151 ~~day~~ care homes, therapeutic child care, Head Start, and
1152 preschool programs in public and private schools.

1153 **Section 22. Subsection (1) of section 1002.59, Florida**
1154 **Statutes, is amended to read:**

1155 1002.59 Emergent literacy and performance standards
1156 training courses.—

1157 (1) The department, in collaboration with the Just Read,
1158 Florida! Office, shall adopt minimum standards for courses in
1159 emergent literacy for prekindergarten instructors. Each course
1160 must consist of 5 clock hours and provide instruction in
1161 strategies and techniques to address the age-appropriate
1162 progress of prekindergarten students in developing emergent
1163 literacy skills, including oral communication, knowledge of
1164 print and letters, phonological and phonemic awareness,
1165 vocabulary and comprehension development, and foundational
1166 background knowledge designed to correlate with the content that
1167 students will encounter in grades K-12, consistent with the
1168 evidence-based content and strategies grounded in the science of
1169 reading identified pursuant to s. 1001.215(7). The course
1170 standards must be reviewed as part of any review of subject
1171 coverage or endorsement requirements in the elementary, reading,
1172 and exceptional student educational areas conducted pursuant to
1173 s. 1012.586. Each course must also provide resources containing
1174 strategies that allow students with disabilities and other
1175 special needs to derive maximum benefit from the Voluntary

1176 Prekindergarten Education Program. Successful completion of an
 1177 emergent literacy training course approved under this section
 1178 satisfies requirements for approved training in early literacy
 1179 and language development under ss. 402.305(2)(e)4., 402.313(6),
 1180 and 402.3131(5) ~~ss. 402.305(2)(e)5., 402.313(6), and~~
 1181 ~~402.3131(5).~~

1182 **Section 23. Paragraph (u) of subsection (2) of section**
 1183 **1002.82, Florida Statutes, is amended to read:**

1184 1002.82 Department of Education; powers and duties.—

1185 (2) The department shall:

1186 (u) Administer a statewide toll-free Warm-Line to provide
 1187 assistance and consultation to child care facilities and family
 1188 child day ~~day~~ care homes regarding health, developmental,
 1189 disability, and special needs issues of the children they are
 1190 serving, particularly children with disabilities and other
 1191 special needs. The department shall:

1192 1. Annually inform child care facilities and family child
 1193 ~~day~~ care homes of the availability of this service through the
 1194 child care resource and referral network under s. 1002.92.

1195 2. Expand or contract for the expansion of the Warm-Line
 1196 to maintain at least one Warm-Line in each early learning
 1197 coalition service area.

1198 **Section 24. Paragraph (j) of subsection (4) of section**
 1199 **1002.83, Florida Statutes, is amended to read:**

1200 1002.83 Early learning coalitions.—

1201 (4) Each early learning coalition must include the
 1202 following member positions; however, in a multicounty coalition,
 1203 each ex officio member position may be filled by multiple
 1204 nonvoting members but no more than one voting member shall be
 1205 seated per member position. If an early learning coalition has
 1206 more than one member representing the same entity, only one of
 1207 such members may serve as a voting member:

1208 (j) A representative of private for-profit child care
 1209 providers, including private for-profit family child ~~day~~ care
 1210 homes.

1211 **Section 25. Subsection (4) of section 1002.84, Florida**
 1212 **Statutes, is amended to read:**

1213 1002.84 Early learning coalitions; school readiness powers
 1214 and duties.—Each early learning coalition shall:

1215 (4) Establish a regional Warm-Line as directed by the
 1216 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
 1217 staff shall provide onsite technical assistance, when requested,
 1218 to assist child care facilities and family child ~~day~~ care homes
 1219 with inquiries relating to the strategies, curriculum, and
 1220 environmental adaptations the child care facilities and family
 1221 child ~~day~~ care homes may need as they serve children with
 1222 disabilities and other special needs.

1223 **Section 26. Paragraphs (a) and (c) of subsection (1) of**
 1224 **section 1002.88, Florida Statutes, are amended to read:**

1225 1002.88 School readiness program provider standards;

1226 | eligibility to deliver the school readiness program.—

1227 | (1) To be eligible to deliver the school readiness
1228 | program, a school readiness program provider must:

1229 | (a) Be a child care facility licensed under s. 402.305, a
1230 | family child ~~day~~ care home licensed or registered under s.
1231 | 402.313, a large family child care home licensed under s.
1232 | 402.3131, a public school or nonpublic school exempt from
1233 | licensure under s. 402.3025, a faith-based child care provider
1234 | exempt from licensure under s. 402.316, a before-school or
1235 | after-school program described in s. 402.305(1)(c), a child
1236 | development program that is accredited by a national accrediting
1237 | body and operates on a military installation that is certified
1238 | by the United States Department of Defense, an informal child
1239 | care provider to the extent authorized in the state's Child Care
1240 | and Development Fund Plan as approved by the United States
1241 | Department of Health and Human Services pursuant to 45 C.F.R. s.
1242 | 98.18, or a provider who has been issued a provisional license
1243 | pursuant to s. 402.309. A provider may not deliver the program
1244 | while holding a probation-status license under s. 402.310.

1245 | (c) Provide basic health and safety of its premises and
1246 | facilities and compliance with requirements for age-appropriate
1247 | immunizations of children enrolled in the school readiness
1248 | program.

1249 | 1. For a provider that is licensed, compliance with s.
1250 | 402.305, s. 402.3131, or s. 402.313 and this subsection, as

1251 verified pursuant to s. 402.311, satisfies this requirement.

1252 2. For a provider that is a registered family child ~~day~~
1253 care home or is not subject to licensure or registration by the
1254 Department of Children and Families, compliance with this
1255 subsection, as verified pursuant to s. 402.311, satisfies this
1256 requirement. Upon verification pursuant to s. 402.311, the
1257 provider shall annually post the health and safety checklist
1258 adopted by the department prominently on its premises in plain
1259 sight for visitors and parents and shall annually submit the
1260 checklist to its local early learning coalition.

1261 3. For a child development program that is accredited by a
1262 national accrediting body and operates on a military
1263 installation that is certified by the United States Department
1264 of Defense, the submission and verification of annual
1265 inspections pursuant to United States Department of Defense
1266 Instructions 6060.2 and 1402.05 satisfies this requirement.

1267 **Section 27. Paragraph (c) of subsection (2) of section**
1268 **1002.895, Florida Statutes, is amended to read:**

1269 1002.895 Market rate schedule.—The school readiness
1270 program market rate schedule shall be implemented as follows:

1271 (2) The market rate schedule must differentiate rates by
1272 provider type, including, but not limited to:

1273 (c) Family child ~~day~~ care homes licensed or registered
1274 under s. 402.313.

1275 **Section 28. Paragraph (a) of subsection (3) and subsection**

1276 **(4) of section 1002.92, Florida Statutes, are amended to read:**

1277 1002.92 Child care and early childhood resource and
 1278 referral.—

1279 (3) Child care resource and referral agencies shall
 1280 provide the following services:

1281 (a) Identification of existing public and private child
 1282 care and early childhood education services, including child
 1283 care services by public and private employers, and the
 1284 development of an early learning provider performance profile of
 1285 those services through the single statewide information system
 1286 developed by the department under s. 1002.82(2)(q). These
 1287 services may include family child ~~day~~ care, public and private
 1288 child care programs, the Voluntary Prekindergarten Education
 1289 Program, Head Start, the school readiness program, special
 1290 education programs for prekindergarten children with
 1291 disabilities, services for children with developmental
 1292 disabilities, full-time and part-time programs, before-school
 1293 and after-school programs, and vacation care programs. The early
 1294 learning provider performance profile shall include, but not be
 1295 limited to:

- 1296 1. Type of program.
- 1297 2. Hours of service.
- 1298 3. Ages of children served.
- 1299 4. Number of children served.
- 1300 5. Program information.

- 1301 6. Fees and eligibility for services.
- 1302 7. Availability of transportation.
- 1303 8. Participation in the Child Care Food Program, if
- 1304 applicable.
- 1305 9. A link to licensing inspection reports, if applicable.
- 1306 10. The components of the Voluntary Prekindergarten
- 1307 Education Program performance metric calculated under s. 1002.68
- 1308 which must consist of the program assessment composite score,
- 1309 learning gains score, achievement score, and its designations,
- 1310 if applicable.
- 1311 11. The school readiness program assessment composite
- 1312 score and program assessment care level composite score results
- 1313 delineated by infant classrooms, toddler classrooms, and
- 1314 preschool classrooms results under s. 1002.82, if applicable.
- 1315 12. Gold Seal Quality Care designation under s. 1002.945,
- 1316 if applicable.
- 1317 13. Indication of whether the provider implements a
- 1318 curriculum approved by the department and the name of the
- 1319 curriculum, if applicable.
- 1320 14. Participation in school readiness child assessment
- 1321 under s. 1002.82.
- 1322 (4) A child care facility licensed under s. 402.305 and
- 1323 licensed and registered family child ~~day~~ care homes must provide
- 1324 the statewide child care and resource and referral network with
- 1325 the following information annually:

- 1326 (a) Type of program.
- 1327 (b) Hours of service.
- 1328 (c) Ages of children served.
- 1329 (d) Fees and eligibility for services.

1330 **Section 29. Subsection (2) of section 1002.93, Florida**
 1331 **Statutes, is amended to read:**

1332 1002.93 School readiness program transportation services.—

1333 (2) The transportation servicers may only provide
 1334 transportation to each child participating in the school
 1335 readiness program to the extent that such transportation is
 1336 necessary to provide child care opportunities that otherwise
 1337 would not be available to a child whose home is more than a
 1338 reasonable walking distance from the nearest child care facility
 1339 or family child ~~day~~ care home.

1340 **Section 30. Paragraph (b) of subsection (1), paragraphs**
 1341 **(a) and (c) of subsection (3), and subsection (4) of section**
 1342 **1002.945, Florida Statutes, are amended to read:**

1343 1002.945 Gold Seal Quality Care Program.—

- 1344 (1)
- 1345 (b) A child care facility, large family child care home,
 1346 or family child ~~day~~ care home that is accredited by an
 1347 accrediting association approved by the Department of Education
 1348 under subsection (3) and meets all other requirements shall,
 1349 upon application to the department, receive a separate "Gold
 1350 Seal Quality Care" designation.

1351 (3) (a) In order to be approved by the Department of
1352 Education for participation in the Gold Seal Quality Care
1353 Program, an accrediting association must apply to the department
1354 and demonstrate that it:

1355 1. Is a recognized accrediting association.

1356 2. Has accrediting standards that substantially meet or
1357 exceed the Gold Seal Quality Care standards adopted by the state
1358 board under subsection (2).

1359 3. Is a registered corporation with the Department of
1360 State.

1361 4. Can provide evidence that the process for accreditation
1362 has, at a minimum, all of the following components:

1363 a. Clearly defined prerequisites that a child care
1364 provider must meet before beginning the accreditation process.
1365 However, accreditation may not be granted to a child care
1366 facility, large family child care home, or family child ~~day~~ care
1367 home before the site is operational and is attended by children.

1368 b. Procedures for completion of a self-study and
1369 comprehensive onsite verification process for each classroom
1370 that documents compliance with accrediting standards.

1371 c. A training process for accreditation verifiers to
1372 ensure inter-rater reliability.

1373 d. Ongoing compliance procedures that include requiring
1374 each accredited child care facility, large family child care
1375 home, and family child ~~day~~ care home to file an annual report

1376 with the accrediting association and risk-based, onsite auditing
1377 protocols for accredited child care facilities, large family
1378 child care homes, and family child ~~day~~ care homes.

1379 e. Procedures for the revocation of accreditation due to
1380 failure to maintain accrediting standards as evidenced by sub-
1381 subparagraph d. or any other relevant information received by
1382 the accrediting association.

1383 f. Accreditation renewal procedures that include an onsite
1384 verification occurring at least every 5 years.

1385 g. A process for verifying continued accreditation
1386 compliance in the event of a transfer of ownership of
1387 facilities.

1388 h. A process to communicate issues that arise during the
1389 accreditation period with governmental entities that have a
1390 vested interest in the Gold Seal Quality Care Program, including
1391 the Department of Education, the Department of Children and
1392 Families, the Department of Health, local licensing entities if
1393 applicable, and the early learning coalition.

1394 (c) If an accrediting association has granted
1395 accreditation to a child care facility, large family child care
1396 home, or family child ~~day~~ care under fraudulent terms or failed
1397 to conduct onsite verifications, the accrediting association
1398 shall be liable for the repayment of any rate differentials paid
1399 under subsection (6).

1400 (4) In order to obtain and maintain a designation as a

1401 Gold Seal Quality Care provider, a child care facility, large
1402 family child care home, or family child ~~day~~ care home must meet
1403 the following additional criteria:

1404 (a) The child care provider must not have had any class I
1405 violations, as defined by rule of the Department of Children and
1406 Families, within the 2 years preceding its application for
1407 designation as a Gold Seal Quality Care provider. Commission of
1408 a class I violation shall be grounds for termination of the
1409 designation as a Gold Seal Quality Care provider until the
1410 provider has no class I violations for a period of 2 years.

1411 (b) The child care provider must not have had three or
1412 more of the same class II violations, as defined by rule of the
1413 Department of Children and Families, within the 2 years
1414 preceding its application for designation as a Gold Seal Quality
1415 Care provider. Commission of three or more of the same class II
1416 violations within a 2-year period shall be grounds for
1417 termination of the designation as a Gold Seal Quality Care
1418 provider until the provider has no class II violations that are
1419 the same for a period of 1 year.

1420 (c) The child care provider must not have been cited for
1421 the same class III violation, as defined by rule of the
1422 Department of Children and Families, three or more times and
1423 failed to correct the violation within 1 year after the date of
1424 each citation, within the 2 years preceding its application for
1425 designation as a Gold Seal Quality Care provider. Commission of

1426 the same class III violation three or more times and failure to
1427 correct within the required time during a 2-year period may be
1428 grounds for termination of the designation as a Gold Seal
1429 Quality Care provider until the provider has no class III
1430 violations for a period of 1 year.

1431 (d) Notwithstanding paragraph (a), if the Department of
1432 Education determines through a formal process that a provider
1433 has been in business for at least 5 years and has no other class
1434 I violations recorded, the department may recommend to the state
1435 board that the provider maintain its Gold Seal Quality Care
1436 status. The state board's determination regarding such
1437 provider's status is final.

1438 **Section 31. Subsection (1) of section 1002.95, Florida**
1439 **Statutes, is amended to read:**

1440 1002.95 Teacher Education and Compensation Helps (TEACH)
1441 Scholarship Program.—

1442 (1) The department may contract for the administration of
1443 the Teacher Education and Compensation Helps (TEACH) Scholarship
1444 Program, which provides educational scholarships to caregivers
1445 and administrators of early childhood programs, family child ~~day~~
1446 care homes, and large family child care homes. The goal of the
1447 program is to increase the education and training for
1448 caregivers, increase the compensation for child caregivers who
1449 complete the program requirements, and reduce the rate of
1450 participant turnover in the field of early childhood education.

1451

Section 32. This act shall take effect July 1, 2025.