

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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 ~~surrondings~~ 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 shall ~~also~~ adopt by rule a definition  
120 for child care which distinguishes between child care programs  
121 that require child care licensure and after-school programs that  
122 do not require licensure. Notwithstanding any other provision of  
123 law to the contrary, minimum child care licensing standards  
124 shall be developed to provide for reasonable, affordable, and  
125 safe before-school and after-school care. After-school programs

126 that otherwise meet the criteria for exclusion from licensure  
127 may provide snacks and meals through the federal Afterschool  
128 Meal Program (AMP) administered by the Department of Health in  
129 accordance with federal regulations and standards. The  
130 Department of Health shall consider meals to be provided through  
131 the AMP only if the program is actively participating in the  
132 AMP, is in good standing with the department, and the meals meet  
133 AMP requirements. Standards, at a minimum, shall allow for a  
134 credentialed director to supervise multiple before-school and  
135 after-school sites.

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

138 (a) Good moral character based upon screening as defined  
139 in s. 402.302(15). This screening shall be conducted as provided  
140 in chapter 435, using the level 2 standards for screening  
141 provided set forth in that chapter, and include employment  
142 history checks, a search of criminal history records, sexual  
143 predator and sexual offender registries, and child abuse and  
144 neglect registry of any state in which the current or  
145 prospective child care personnel resided during the preceding 5  
146 years. The department shall complete the screening and provide  
147 the results to the child care facility within 3 business days  
148 from the receipt of the criminal history record check. If the  
149 department is unable to complete the screening within 3 business  
150 days, the department shall issue the current or prospective

151 child care personnel a 45-day provisional-hire status while all  
152 required information is being requested and the department is  
153 awaiting results unless the department has reason to believe a  
154 disqualifying factor may exist. During the 45-day period, the  
155 current or prospective child care personnel must be under the  
156 direct supervision of a screened and trained staff member when  
157 in contact with children.

158 (e) Minimum training requirements for child care  
159 personnel.

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

164 a. State and local rules and regulations which govern  
165 child care.

166 b. Health, safety, and nutrition.

167 c. Identifying and reporting child abuse and neglect.

168 d. Child development, including typical and atypical  
169 language, cognitive, motor, social, and self-help skills  
170 development.

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

174 f. Specialized areas, including computer technology for  
175 professional and classroom use and early literacy and language

176 development of children from birth to 5 years of age, as  
177 determined by the department, for owner-operators and child care  
178 personnel of a child care facility.

179 g. Developmental disabilities, including autism spectrum  
180 disorder and Down syndrome, and early identification, use of  
181 available state and local resources, classroom integration, and  
182 positive behavioral supports for children with developmental  
183 disabilities.

184 h. Online training coursework, provided at no cost by the  
185 department, to meet minimum training standards for child care  
186 personnel.

187

188 Within 90 days after employment, child care personnel shall  
189 begin training to meet the training requirements. Child care  
190 personnel shall successfully complete such training within 1  
191 year after the date on which the training began, as evidenced by  
192 passage of an in-person or online a competency examination.

193 Successful completion of the 40-clock-hour introductory course  
194 shall articulate into community college credit in early  
195 childhood education, pursuant to ss. 1007.24 and 1007.25.

196 Exemption from all or a portion of the required training shall  
197 be granted to child care personnel based upon educational  
198 credentials or passage of competency examinations. Child care  
199 personnel possessing a 2-year degree or higher that includes 6  
200 college credit hours in early childhood development or child

201 growth and development, or a child development associate  
202 credential or an equivalent state-approved child development  
203 associate credential, or a child development associate waiver  
204 certificate shall be automatically exempted from the training  
205 requirements in sub-subparagraphs b., d., and e.

206 ~~2. The introductory course in child care shall stress, to~~  
207 ~~the extent possible, an interdisciplinary approach to the study~~  
208 ~~of children.~~

209 2.3. The introductory course shall cover recognition and  
210 prevention of shaken baby syndrome; prevention of sudden infant  
211 death syndrome; recognition and care of infants and toddlers  
212 with developmental disabilities, including autism spectrum  
213 disorder and Down syndrome; and early childhood brain  
214 development within the topic areas identified in this paragraph.

215 ~~3.4.~~ On an annual basis in order to further their child  
216 care skills and, if appropriate, administrative skills, child  
217 care personnel who have fulfilled the requirements for the child  
218 care training shall be required to take an additional 1  
219 continuing education unit of approved inservice training, or 10  
220 clock hours of equivalent training, as determined by the  
221 department.

222 ~~4.5.~~ Child care personnel shall be required to complete  
223 0.5 continuing education unit of approved training or 5 clock  
224 hours of equivalent training, as determined by the department,  
225 in early literacy and language development of children from

226 birth to 5 years of age one time. The year that this training is  
227 completed, it shall fulfill the 0.5 continuing education unit or  
228 5 clock hours of the annual training required in subparagraph 3.  
229 4.

230 5.6. Procedures for ensuring the training of qualified  
231 child care professionals to provide training of child care  
232 personnel, including onsite training, shall be included in the  
233 minimum standards. It is recommended that the state community  
234 child care coordination agencies (central agencies) be  
235 contracted by the department to coordinate such training when  
236 possible. Other district educational resources, such as  
237 community colleges and career programs, can be designated in  
238 such areas where central agencies may not exist or are  
239 determined not to have the capability to meet the coordination  
240 requirements set forth by the department.

241 6.7. Training requirements do ~~shall~~ not apply to certain  
242 occasional or part-time support staff, including, but not  
243 limited to, swimming instructors, piano teachers, dance  
244 instructors, and gymnastics instructors.

245 7.8. The child care operator shall be required to take  
246 basic training in serving children with disabilities within 5  
247 years after employment, either as a part of the introductory  
248 training or the annual 8 hours of inservice training.

249 (f) Periodic health examinations for child care facility  
250 drivers.

251 (7) SANITATION AND SAFETY.—

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

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

263 (9) ADMISSIONS AND RECORDKEEPING.—

264 (a) Minimum standards shall include requirements for  
265 preadmission and periodic health examinations, requirements for  
266 immunizations, and requirements for maintaining emergency  
267 information and health records on all children.

268 ~~(b) During the months of August and September of each  
269 year, each child care facility shall provide parents of children  
270 enrolled in the facility detailed information regarding the  
271 causes, symptoms, and transmission of the influenza virus in an  
272 effort to educate those parents regarding the importance of  
273 immunizing their children against influenza as recommended by  
274 the Advisory Committee on Immunization Practices of the Centers  
275 for Disease Control and Prevention.~~

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

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

295 (c)~~(e)~~ Any child shall be exempt from medical or physical  
296 examination or medical or surgical treatment upon written  
297 request of the parent or guardian of such child who objects to  
298 the examination and treatment. However, the laws, rules, and  
299 regulations relating to contagious or communicable diseases and  
300 sanitary matters shall not be violated because of any exemption

301 from or variation of the health and immunization minimum  
302 standards.

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

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

322 (18) TRANSFER OF OWNERSHIP.—

323 (a) One week before ~~prior to~~ the transfer of ownership of  
324 a child care facility or family child ~~day~~ care home, the  
325 transferor shall notify the parent or caretaker of each child of

326 the impending transfer.

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

329 402.306 Designation of licensing agency; dissemination by  
330 the department and local licensing agency of information on  
331 child care.—

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

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

336 2. (b) Contract with the department to delegate the  
337 administration of state minimum standards in the county to the  
338 department.

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

342 (3) The department and local licensing agencies, or the  
343 designees thereof, shall be responsible for coordination and  
344 dissemination of information on child care to the community and  
345 shall make available through electronic means all licensing  
346 standards and procedures, health and safety standards for school  
347 readiness providers, monitoring and inspection reports, and the  
348 names and addresses of licensed child care facilities, school  
349 readiness program providers, and, where applicable pursuant to  
350 s. 402.313, licensed or registered family child ~~day~~ care homes.

351 This information shall also include the number of deaths,  
352 serious injuries, and instances of substantiated child abuse  
353 that have occurred in child care settings each year; research  
354 and best practices in child development; and resources regarding  
355 social-emotional development, parent and family engagement,  
356 healthy eating, and physical activity.

357 **Section 4. Section 402.3115, Florida Statutes, is amended**  
358 **to read:**

359 402.3115 Elimination of duplicative and unnecessary  
360 inspections; abbreviated inspections.—

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

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

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

372 2. Have had no Class 1 or Class 2 deficiencies, as defined  
373 by rule, for at least 2 consecutive years.

374 3. Have received at least two full onsite renewal  
375 inspections in the most recent 2 years.

376 4. Do not have any current uncorrected violations.

377 5. Do not have any open regulatory complaints or active  
 378 child protective services investigations.

379 (b) The abbreviated inspection must include those elements  
 380 identified by the department ~~and the local governmental agencies~~  
 381 as being key indicators of whether the child care facility  
 382 continues to provide quality care and programming and must be  
 383 updated every 5 years.

384 (3) The department shall revise the plan under subsection  
 385 (1) as necessary to maintain the validity and effectiveness of  
 386 inspections.

387 **Section 5. Section 402.313, Florida Statutes, is amended**  
 388 **to read:**

389 402.313 Family child ~~day~~ care homes.—

390 (1) Family child ~~day~~ care homes shall be licensed under  
 391 this act if they are presently being licensed under an existing  
 392 county licensing ordinance or if the board of county  
 393 commissioners passes a resolution that family child ~~day~~ care  
 394 homes be licensed.

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

- 398 1. The name and address of the home.
- 399 2. The name of the operator.
- 400 3. The number of children served.

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

405           5. Proof of screening and background checks.

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

409           a. State and local rules and regulations that govern child  
 410 care.

411           b. Health, safety, and nutrition.

412           c. Identifying and reporting child abuse and neglect.

413           d. Child development, including typical and atypical  
 414 language development; and cognitive, motor, social, and self-  
 415 help skills development.

416           e. Observation of developmental behaviors, including using  
 417 a checklist or other similar observation tools and techniques to  
 418 determine a child's developmental level.

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

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

424           7.8. Proof of completion of the required continuing  
 425 education units or clock hours.

426        (b) Operators of registered family child care homes shall  
427 annually complete a health and safety home inspection self-  
428 evaluation checklist developed by the department in conjunction  
429 with the statewide resource and referral program. The completed  
430 checklist shall be signed by the operator of the family child  
431 care home and provided to parents as certification that basic  
432 health and safety standards are being met.

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

435        (d)~~(e)~~ The department may provide technical assistance to  
436 counties and family child ~~day~~ care home providers to enable  
437 counties and family child ~~day~~ care providers to achieve  
438 compliance with family child ~~day~~ care homes standards.

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

442        (3) Child care personnel in family child ~~day~~ care homes  
443 shall be subject to the applicable screening provisions  
444 contained in ss. 402.305(2) and 402.3055. For purposes of  
445 screening child care personnel in family child ~~day~~ care homes,  
446 the term "child care personnel" includes any member of a family  
447 child care home operator's family ~~over the age of 12 years of~~  
448 age or older ~~a family day care home operator's family~~, or any  
449 persons ~~over the age of 12 years of age or older~~ residing with  
450 the operator in the family child ~~day~~ care home. Members of the

451 operator's family, or persons residing with the operator, who  
452 are between the ages of 12 years and 18 years, inclusive shall  
453 not be required to be fingerprinted, but shall be screened for  
454 delinquency records.

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

459 (5) In order to further develop their child care skills  
460 and, if appropriate, their administrative skills, operators of  
461 family child ~~day~~ care homes shall be required to complete an  
462 additional 1 continuing education unit of approved training or  
463 10 clock hours of equivalent training, as determined by the  
464 department, annually.

465 (6) Operators of family child ~~day~~ care homes shall be  
466 required to complete 0.5 continuing education unit of approved  
467 training in early literacy and language development of children  
468 from birth to 5 years of age one time. The year that this  
469 training is completed, it shall fulfill the 0.5 continuing  
470 education unit or 5 clock hours of the annual training required  
471 in subsection (5).

472 ~~(7) Operators of family day care homes shall be required~~  
473 ~~annually to complete a health and safety home inspection self-~~  
474 ~~evaluation checklist developed by the department in conjunction~~  
475 ~~with the statewide resource and referral program. The completed~~

476 ~~checklist shall be signed by the operator of the family day care~~  
477 ~~home and provided to parents as certification that basic health~~  
478 ~~and safety standards are being met.~~

479 (7)~~(8)~~ Family child ~~day~~ care home operators may avail  
480 themselves of supportive services offered by the department.

481 (8)~~(9)~~ The department shall prepare a brochure on family  
482 child ~~day~~ care for distribution by the department and by local  
483 licensing agencies, if appropriate, to family child ~~day~~ care  
484 homes for distribution to parents utilizing such child care, and  
485 to all interested persons, including physicians and other health  
486 professionals; mental health professionals; school teachers or  
487 other school personnel; social workers or other professional  
488 child care, foster care, residential, or institutional workers;  
489 and law enforcement officers. The brochure shall, at a minimum,  
490 contain the following information:

491 (a) A brief description of the requirements for family  
492 child ~~day~~ care registration, training, and fingerprinting and  
493 screening.

494 (b) A listing of those counties that require licensure of  
495 family child ~~day~~ care homes. Such counties shall provide an  
496 addendum to the brochure that provides a brief description of  
497 the licensure requirements or may provide a brochure in lieu of  
498 the one described in this subsection, provided it contains all  
499 the required information on licensure and the required  
500 information in the subsequent paragraphs.

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

507 (d) The statewide toll-free telephone number of the  
508 central abuse hotline, together with a notice that reports of  
509 suspected and actual child physical abuse, sexual abuse, and  
510 neglect are received and referred for investigation by the  
511 hotline.

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

516 (9) ~~(10)~~ On an annual basis, the department shall evaluate  
517 the registration and licensure system for family child ~~day~~ care  
518 homes. Such evaluation shall, at a minimum, address the  
519 following:

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

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

525 (c) The number of complaints received concerning family

526 child ~~day~~ care, the nature of the complaints, and the resolution  
527 of such complaints.

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

531  
532 The evaluation shall be utilized by the department in any  
533 administrative modifications or adjustments to be made in the  
534 registration of family child ~~day~~ care homes or in any  
535 legislative requests for modifications to the system of  
536 registration or to other requirements for family child ~~day~~ care  
537 homes.

538 ~~(11) In order to inform the public of the state~~  
539 ~~requirement for registration of family day care homes as well as~~  
540 ~~the other requirements for such homes to legally operate in the~~  
541 ~~state, the department shall institute a media campaign to~~  
542 ~~accomplish this end. Such a campaign shall include, at a~~  
543 ~~minimum, flyers, newspaper advertisements, radio advertisements,~~  
544 ~~and television advertisements.~~

545 (10) ~~(12)~~ Notwithstanding any other state or local law or  
546 ordinance, any family child ~~day~~ care home licensed pursuant to  
547 this chapter or pursuant to a county ordinance shall be charged  
548 the utility rates accorded to a residential home. A licensed  
549 family child ~~day~~ care home may not be charged commercial utility  
550 rates.

551        (11) ~~(13)~~ The department shall, by rule, establish minimum  
552 standards for family child ~~day~~ care homes that are required to  
553 be licensed by county licensing ordinance or county licensing  
554 resolution or that voluntarily choose to be licensed. The  
555 standards should include requirements for staffing, training,  
556 maintenance of immunization records, minimum health and safety  
557 standards, reduced standards for the regulation of child care  
558 during evening hours by municipalities and counties, and  
559 enforcement of standards.

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

568        ~~(15) During the months of April and September of each~~  
569 ~~year, at a minimum, each family day care home shall provide~~  
570 ~~parents of children attending the family day care home~~  
571 ~~information regarding the potential for a distracted adult to~~  
572 ~~fail to drop off a child at the family day care home and instead~~  
573 ~~leave the child in the adult's vehicle upon arrival at the~~  
574 ~~adult's destination. The family day care home shall also give~~  
575 ~~parents information about resources with suggestions to avoid~~

576 ~~this occurrence. The department shall develop a flyer or~~  
577 ~~brochure with this information that shall be posted to the~~  
578 ~~department's website, which family day care homes may choose to~~  
579 ~~reproduce and provide to parents to satisfy the requirements of~~  
580 ~~this subsection.~~

581 **Section 6. Subsections (1), (6), (9), and (10) of section**  
582 **402.3131, Florida Statutes, are amended to read:**

583 402.3131 Large family child care homes.—

584 (1) Large family child care homes shall be licensed under  
585 this section.

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

591 (b) The department may provide technical assistance to  
592 counties and family child ~~day~~ care home providers to enable the  
593 counties and providers to achieve compliance with minimum  
594 standards for large family child care homes.

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

597 ~~(9) During the months of August and September of each~~  
598 ~~year, each large family child care home shall provide parents of~~  
599 ~~children enrolled in the home detailed information regarding the~~  
600 ~~causes, symptoms, and transmission of the influenza virus in an~~

601 ~~effort to educate those parents regarding the importance of~~  
602 ~~immunizing their children against influenza as recommended by~~  
603 ~~the Advisory Committee on Immunization Practices of the Centers~~  
604 ~~for Disease Control and Prevention.~~

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

618 **Section 7. Section 402.316, Florida Statutes, is amended**  
619 **to read:**

620 402.316 Exemptions.—

621 (1) The provisions of ss. 402.301-402.319, except for the  
622 requirements regarding screening of child care personnel, do  
623 ~~shall~~ not apply to a child care facility which is an integral  
624 part of church or parochial schools, or a child care facility  
625 that solely provides child care to eligible children as defined

626 in s. 402.261(1)(c), conducting regularly scheduled classes,  
627 courses of study, or educational programs accredited by, or by a  
628 member of, an organization which publishes and requires  
629 compliance with its standards for health, safety, and  
630 sanitation. However, such facilities shall meet minimum  
631 requirements of the applicable local governing body as to  
632 health, sanitation, and safety and shall meet the screening  
633 requirements pursuant to ss. 402.305 and 402.3055. Failure by a  
634 facility to comply with such screening requirements shall result  
635 in the loss of the facility's exemption from licensure.

636 (2) The provisions of ss. 402.301-402.319 do not apply to  
637 a child care facility or family child care home if the child  
638 care facility or family child care home has a certificate issued  
639 by the United States Department of Defense or by the United  
640 States Coast Guard to provide child care and has completed  
641 background screening by the United States Department of Defense  
642 pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and  
643 received a favorable suitability and fitness determination. If  
644 the child care facility or family child care home elects to  
645 serve children ineligible for care under the Department of  
646 Defense Instruction 6060.02, the child care facility or family  
647 child care home must be licensed under chapter 402.

648 ~~(3)(2) Any county or city with state or local child care~~  
649 ~~licensing programs in existence on July 1, 1974, will continue~~  
650 ~~to license the child care facility facilities as covered by such~~

651 ~~programs, notwithstanding the exemption under provisions of~~  
652 ~~subsection (1), desiring to be licensed, is authorized to do so~~  
653 ~~by submitting an application to the department or local~~  
654 ~~licensing agency pursuant to s. 402.308(4) until and unless the~~  
655 ~~licensing agency makes a determination to exempt them.~~

656 (4)-(3) The department and the local licensing agency  
657 pursuant to s. 402.308(4) shall adopt rules to administer and  
658 implement the this section, including, but not limited to, any  
659 assessments of previous licensure history ~~Any child care~~  
660 ~~facility covered by the exemption provisions of subsection (1),~~  
661 ~~but desiring to be included in this act, is authorized to do so~~  
662 ~~by submitting notification to the department. Once licensed,~~  
663 ~~such facility cannot withdraw from the act and continue to~~  
664 ~~operate.~~

665 **Section 8. Section 627.70161, Florida Statutes, is amended**  
666 **to read:**

667 627.70161 Family child day care and large family child  
668 care insurance.-

669 (1) PURPOSE AND INTENT.—The Legislature recognizes that  
670 family child day care and large family child care homes fulfill  
671 a vital role in providing child care in Florida. It is the  
672 intent of the Legislature that residential property insurance  
673 coverage should not be canceled, denied, or nonrenewed solely on  
674 the basis of the child care ~~family day care~~ services at the  
675 residence. The Legislature also recognizes that the potential

676 liability of residential property insurers is substantially  
677 increased by the rendition of child care services on the  
678 premises. The Legislature therefore finds that there is a public  
679 need to specify that contractual liabilities that arise in  
680 connection with the operation of the family child day care home  
681 or the large family child care home are excluded from  
682 residential property insurance policies unless they are  
683 specifically included in such coverage.

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

685 (a) "Child care" means the care, protection, and  
686 supervision of a child, for a period of less than 24 hours a day  
687 on a regular basis, which supplements parental care, enrichment,  
688 and health supervision for the child, in accordance with his or  
689 her individual needs, and for which a payment, fee, or grant is  
690 made for care.

691 (b) "Family child day care home" means an occupied  
692 residence in which child care is regularly provided for children  
693 from at least two unrelated families and which receives a  
694 payment, fee, or grant for any of the children receiving care,  
695 whether or not operated for a profit.

696 (c) "Large family child care home" means an occupied  
697 residence in which child care is regularly provided for children  
698 from at least two unrelated families, which receives a payment,  
699 fee, or grant for any of the children receiving care, regardless  
700 of whether operated for profit, and which has at least two full-

701 time child care personnel on the premises during the hours of  
702 operation. One of the two full-time child care personnel must be  
703 the owner or occupant of the residence. A large family child  
704 care home must first have operated as a licensed family child  
705 care home for at least 2 years, with an operator who has held a  
706 child development associate credential or its equivalent for at  
707 least 1 year, before seeking licensure as a large family child  
708 care home. Household children under 13 years of age, when on the  
709 premises of the large family child care home or on a field trip  
710 with children enrolled in child care, must be included in the  
711 overall capacity of the licensed home. A large family child care  
712 home may provide care for one of the following groups of  
713 children, which must include household children under 13 years  
714 of age:

715 1. A maximum of eight children from birth to 24 months of  
716 age.

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

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

726 (a) Specifically covered in a policy; or  
 727 (b) Covered by a rider or endorsement for business  
 728 coverage attached to a policy.

729 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An  
 730 insurer may not deny, cancel, or refuse to renew a policy for  
 731 residential property insurance solely on the basis that the  
 732 policyholder or applicant operates a family child day care home  
 733 or a large family child care home. In addition to other lawful  
 734 reasons for refusing to insure, an insurer may deny, cancel, or  
 735 refuse to renew a policy of a family child day care home or a  
 736 large family child care home provider if one or more of the  
 737 following conditions occur:

738 (a) The policyholder or applicant provides care for more  
 739 children than authorized ~~for family day care homes~~ by s.  
 740 402.302;

741 (b) The policyholder or applicant fails to maintain a  
 742 separate commercial liability policy or an endorsement providing  
 743 liability coverage for the family child day care home or the  
 744 large family child care home operations;

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

748 (d) Discovery of willful or grossly negligent acts or  
 749 omissions or any violations of state laws or regulations  
 750 establishing safety standards for family child day care homes or

751 large family child care homes by the named insured or his or her  
752 representative which materially increase any of the risks  
753 insured.

754 **Section 9. Paragraph (a) of subsection (2) of section**  
755 **39.202, Florida Statutes, is amended to read:**

756 39.202 Confidentiality of reports and records in cases of  
757 child abuse or neglect; exception.—

758 (2) Except as provided in subsection (4), access to such  
759 records, excluding the name of, or other identifying information  
760 with respect to, the reporter which may only be released as  
761 provided in subsection (5), may only be granted to the following  
762 persons, officials, and agencies:

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

- 768 1. Child or adult protective investigations;
- 769 2. Ongoing child or adult protective services;
- 770 3. Early intervention and prevention services;
- 771 4. Healthy Start services;
- 772 5. Licensure or approval of adoptive homes, foster homes,  
773 child care facilities, facilities licensed under chapters 393  
774 and 394, family child ~~day~~ care homes, providers who receive  
775 school readiness funding under part VI of chapter 1002, or other

776 homes used to provide for the care and welfare of children;  
 777 6. Employment screening for caregivers in residential  
 778 group homes and facilities licensed under chapters 393, 394, and  
 779 409; or

780 7. Services for victims of domestic violence when provided  
 781 by certified domestic violence centers working at the  
 782 department's request as case consultants or with shared clients.  
 783

784 Also, employees or agents of the Department of Juvenile Justice  
 785 responsible for the provision of services to children, pursuant  
 786 to chapters 984 and 985.

787 **Section 10. Section 125.0109, Florida Statutes, is amended**  
 788 **to read:**

789 125.0109 Family child ~~day~~ care homes; local zoning  
 790 regulation.—The operation of a residence as a family child ~~day~~  
 791 care home, as defined by law, registered or licensed with the  
 792 Department of Children and Families shall constitute a valid  
 793 residential use for purposes of any local zoning regulations,  
 794 and no such regulation shall require the owner or operator of  
 795 such family child ~~day~~ care home to obtain any special exemption  
 796 or use permit or waiver, or to pay any special fee in excess of  
 797 \$50, to operate in an area zoned for residential use.

798 **Section 11. Section 166.0445, Florida Statutes, is amended**  
 799 **to read:**

800 166.0445 Family child ~~day~~ care homes; local zoning

801 regulation.—The operation of a residence as a family child day  
802 care home, as defined by law, registered or licensed with the  
803 Department of Children and Families shall constitute a valid  
804 residential use for purposes of any local zoning regulations,  
805 and no such regulation shall require the owner or operator of  
806 such family child day care home to obtain any special exemption  
807 or use permit or waiver, or to pay any special fee in excess of  
808 \$50, to operate in an area zoned for residential use.

809 **Section 12. Paragraph (j) of subsection (7) of section**  
810 **212.08, Florida Statutes, is amended to read:**

811 212.08 Sales, rental, use, consumption, distribution, and  
812 storage tax; specified exemptions.—The sale at retail, the  
813 rental, the use, the consumption, the distribution, and the  
814 storage to be used or consumed in this state of the following  
815 are hereby specifically exempt from the tax imposed by this  
816 chapter.

817 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
818 entity by this chapter do not inure to any transaction that is  
819 otherwise taxable under this chapter when payment is made by a  
820 representative or employee of the entity by any means,  
821 including, but not limited to, cash, check, or credit card, even  
822 when that representative or employee is subsequently reimbursed  
823 by the entity. In addition, exemptions provided to any entity by  
824 this subsection do not inure to any transaction that is  
825 otherwise taxable under this chapter unless the entity has

826 | obtained a sales tax exemption certificate from the department  
827 | or the entity obtains or provides other documentation as  
828 | required by the department. Eligible purchases or leases made  
829 | with such a certificate must be in strict compliance with this  
830 | subsection and departmental rules, and any person who makes an  
831 | exempt purchase with a certificate that is not in strict  
832 | compliance with this subsection and the rules is liable for and  
833 | shall pay the tax. The department may adopt rules to administer  
834 | this subsection.

835 |       (j) Household fuels.—Also exempt from payment of the tax  
836 | imposed by this chapter are sales of utilities to residential  
837 | households or owners of residential models in this state by  
838 | utility companies who pay the gross receipts tax imposed under  
839 | s. 203.01, and sales of fuel to residential households or owners  
840 | of residential models, including oil, kerosene, liquefied  
841 | petroleum gas, coal, wood, and other fuel products used in the  
842 | household or residential model for the purposes of heating,  
843 | cooking, lighting, and refrigeration, regardless of whether such  
844 | sales of utilities and fuels are separately metered and billed  
845 | direct to the residents or are metered and billed to the  
846 | landlord. If any part of the utility or fuel is used for a  
847 | nonexempt purpose, the entire sale is taxable. The landlord  
848 | shall provide a separate meter for nonexempt utility or fuel  
849 | consumption. For the purposes of this paragraph, licensed family  
850 | child ~~day~~ care homes shall also be exempt.

851           **Section 13. Subsections (3), (8), (9), and (11) of section**  
852 **402.302, Florida Statutes, are amended to read:**

853           402.302 Definitions.—As used in this chapter, the term:

854           (3) "Child care personnel" means all owners, operators,  
855 employees, and volunteers working in a child care facility. The  
856 term does not include persons who work in a child care facility  
857 after hours when children are not present or parents of children  
858 in a child care facility. For purposes of screening, the term  
859 includes any member, over the age of 12 years, of a child care  
860 facility operator's family, or person, over the age of 12 years,  
861 residing with a child care facility operator if the child care  
862 facility is located in or adjacent to the home of the operator  
863 or if the family member of, or person residing with, the child  
864 care facility operator has any direct contact with the children  
865 in the facility during its hours of operation. Members of the  
866 operator's family or persons residing with the operator who are  
867 between the ages of 12 years and 18 years are not required to be  
868 fingerprinted but must be screened for delinquency records. For  
869 purposes of screening, the term also includes persons who work  
870 in child care programs that provide care for children 15 hours  
871 or more each week in public or nonpublic schools, family child  
872 ~~day~~ care homes, membership organizations under s. 402.301, or  
873 programs otherwise exempted under s. 402.316. The term does not  
874 include public or nonpublic school personnel who are providing  
875 care during regular school hours, or after hours for activities

876 related to a school's program for grades kindergarten through  
877 12. A volunteer who assists on an intermittent basis for less  
878 than 10 hours per month is not included in the term "personnel"  
879 for the purposes of screening and training if a person who meets  
880 the screening requirement of s. 402.305(2) is always present and  
881 has the volunteer in his or her line of sight. Students who  
882 observe and participate in a child care facility as a part of  
883 their required coursework are not considered child care  
884 personnel, provided such observation and participation are on an  
885 intermittent basis and a person who meets the screening  
886 requirement of s. 402.305(2) is always present and has the  
887 student in his or her line of sight.

888 (8) "Family child ~~day~~ care home" means an occupied  
889 residence in which child care is regularly provided for children  
890 from at least two unrelated families and which receives a  
891 payment, fee, or grant for any of the children receiving care,  
892 whether or not operated for profit. Household children under 13  
893 years of age, when on the premises of the family child ~~day~~ care  
894 home or on a field trip with children enrolled in child care,  
895 shall be included in the overall capacity of the licensed home.  
896 A family child ~~day~~ care home shall be allowed to provide care  
897 for one of the following groups of children, which shall include  
898 household children under 13 years of age:

899 (a) A maximum of four children from birth to 12 months of  
900 age.

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

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

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

908 (9) "Household children" means children who are related by  
 909 blood, marriage, or legal adoption to, or who are the legal  
 910 wards of, the family child ~~day~~ care home operator, the large  
 911 family child care home operator, or an adult household member  
 912 who permanently or temporarily resides in the home. Supervision  
 913 of the operator's household children shall be left to the  
 914 discretion of the operator unless those children receive  
 915 subsidized child care through the school readiness program  
 916 pursuant to s. 1002.92 to be in the home.

917 (11) "Large family child care home" means an occupied  
 918 residence in which child care is regularly provided for children  
 919 from at least two unrelated families, which receives a payment,  
 920 fee, or grant for any of the children receiving care, whether or  
 921 not operated for profit, and which has at least two full-time  
 922 child care personnel on the premises during the hours of  
 923 operation. One of the two full-time child care personnel must be  
 924 the owner or occupant of the residence. A large family child  
 925 care home must first have operated as a licensed family child

926 ~~day~~ care home for 2 years, with an operator who has had a child  
 927 development associate credential or its equivalent for 1 year,  
 928 before seeking licensure as a large family child care home.  
 929 Household children under 13 years of age, when on the premises  
 930 of the large family child care home or on a field trip with  
 931 children enrolled in child care, shall be included in the  
 932 overall capacity of the licensed home. A large family child care  
 933 home shall be allowed to provide care for one of the following  
 934 groups of children, which shall include household children under  
 935 13 years of age:

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

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

940 **Section 14. Subsections (1) and (2) and paragraph (a) of**  
 941 **subsection (3) of section 402.309, Florida Statutes, are amended**  
 942 **to read:**

943 402.309 Provisional license or registration.—

944 (1) The local licensing agency or the department,  
 945 whichever is authorized to license child care facilities in a  
 946 county, may issue a provisional license for child care  
 947 facilities, family child ~~day~~ care homes, or large family child  
 948 care homes, or a provisional registration for family child ~~day~~  
 949 care homes to applicants for an initial license or registration  
 950 or to licensees or registrants seeking a renewal who are unable

951 to meet all the standards provided for in ss. 402.301-402.319.

952 (2) A provisional license or registration may not be  
 953 issued unless the operator or owner makes adequate provisions  
 954 for the health and safety of the child. A provisional license  
 955 may be issued for a child care facility if all of the screening  
 956 materials have been timely submitted. A provisional license or  
 957 registration may not be issued unless the child care facility,  
 958 family child ~~day~~ care home, or large family child care home is  
 959 in compliance with the requirements for screening of child care  
 960 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,  
 961 respectively.

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

966 (a) Is applying for an initial license or registration for  
 967 a child care facility, a family child ~~day~~ care home, or a large  
 968 family child care home;

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

971 402.310 Disciplinary actions; hearings upon denial,  
 972 suspension, or revocation of license or registration;  
 973 administrative fines.—

974 (1)

975 (d) The disciplinary sanctions ~~set forth~~ in this section

976 apply to licensed child care facilities, licensed large family  
 977 child care homes, and licensed or registered family child ~~day~~  
 978 care homes.

979 (4) An applicant, registrant, or licensee shall have the  
 980 right to appeal a decision of the local licensing agency to a  
 981 representative of the department. Any required hearing shall be  
 982 held in the county in which the child care facility, family  
 983 child ~~day~~ care home, or large family child care home is being  
 984 operated or is to be established. The hearing shall be conducted  
 985 in accordance with ~~the provisions of~~ chapter 120.

986 **Section 16. Section 402.312, Florida Statutes, is amended**  
 987 **to read:**

988 402.312 License required; injunctive relief.—

989 (1) The operation of a child care facility without a  
 990 license, a family child ~~day~~ care home without a license or  
 991 registration, or a large family child care home without a  
 992 license is prohibited. If the department or the local licensing  
 993 agency discovers that a child care facility is being operated  
 994 without a license, a family child ~~day~~ care home is being  
 995 operated without a license or registration, or a large family  
 996 child care home is being operated without a license, the  
 997 department or local licensing agency is authorized to seek an  
 998 injunction in the circuit court where the facility is located to  
 999 enjoin continued operation of such facility, family child ~~day~~  
 1000 care home, or large family child care home. When the court is

1001 closed for the transaction of judicial business, the department  
1002 or local licensing agency is authorized to seek an emergency  
1003 injunction to enjoin continued operation of such unlicensed  
1004 facility, unregistered or unlicensed family child ~~day~~ care home,  
1005 or unlicensed large family child care home, which injunction  
1006 shall be continued, modified, or revoked on the next day of  
1007 judicial business.

1008 (2) Other grounds for seeking an injunction to close a  
1009 child care facility, family child ~~day~~ care home, or a large  
1010 family child care home are that:

1011 (a) There is any violation of the standards applied under  
1012 ss. 402.301-402.319 which threatens harm to any child in the  
1013 child care facility, a family child ~~day~~ care home, or large  
1014 family child care home.

1015 (b) A licensee or registrant has repeatedly violated the  
1016 standards provided for under ss. 402.301-402.319.

1017 (c) A child care facility, family child ~~day~~ care home, or  
1018 large family child care home continues to have children in  
1019 attendance after the closing date established by the department  
1020 or the local licensing agency.

1021 (3) The department or local licensing agency may impose an  
1022 administrative fine on any child care facility, family child ~~day~~  
1023 care home, or large family child care home operating without a  
1024 license or registration, consistent with ~~the provisions of s.~~  
1025 402.310.

1026           **Section 17. Paragraphs (a), (b), and (c) of subsection (3)**  
 1027 **of section 402.315, Florida Statutes, are amended to read:**

1028           402.315 Funding; license fees.—

1029           (3) The department shall collect a fee for any license it  
 1030 issues for a child care facility, family child ~~day~~ care home, or  
 1031 large family child care home pursuant to ss. 402.305, 402.313,  
 1032 and 402.3131.

1033           (a) For a child care facility licensed pursuant to s.  
 1034 402.305, such fee shall be \$1 per child, based on the licensed  
 1035 capacity of the facility, except that the minimum fee shall be  
 1036 \$25 per facility and the maximum fee shall be \$100 per facility.

1037           (b) For a family child ~~day~~ care home registered pursuant  
 1038 to s. 402.313, such fee shall be \$25.

1039           (c) For a family child ~~day~~ care home licensed pursuant to  
 1040 s. 402.313, such fee shall be \$50.

1041           **Section 18. Section 402.318, Florida Statutes, is amended**  
 1042 **to read:**

1043           402.318 Advertisement.—A person, as defined in s. 1.01(3),  
 1044 may not advertise a child care facility, family child ~~day~~ care  
 1045 home, or large family child care home without including within  
 1046 such advertisement the state or local agency license number or  
 1047 registration number of such facility or home. Violation of this  
 1048 section is a misdemeanor of the first degree, punishable as  
 1049 provided in s. 775.082 or s. 775.083.

1050           **Section 19. Section 402.319, Florida Statutes, is amended**

1051 **to read:**

1052 402.319 Penalties.—

1053 (1) It is a misdemeanor of the first degree, punishable as  
 1054 provided in s. 775.082 or s. 775.083, for any person knowingly  
 1055 to:

1056 (a) Fail, by false statement, misrepresentation,  
 1057 impersonation, or other fraudulent means, to disclose in any  
 1058 application for voluntary or paid employment or licensure  
 1059 regulated under ss. 402.301-402.318 all information required  
 1060 under those sections or a material fact used in making a  
 1061 determination as to such person's qualifications to be child  
 1062 care personnel, as defined in s. 402.302, in a child care  
 1063 facility, family child ~~day~~ care home, or other child care  
 1064 program.

1065 (b) Operate or attempt to operate a child care facility  
 1066 without having procured a license as required by this act.

1067 (c) Operate or attempt to operate a family child ~~day~~ care  
 1068 home without a license or without registering with the  
 1069 department, whichever is applicable.

1070 (d) Operate or attempt to operate a child care facility or  
 1071 family child ~~day~~ care home under a license that is suspended,  
 1072 revoked, or terminated.

1073 (e) Misrepresent, by act or omission, a child care  
 1074 facility or family child ~~day~~ care home to be duly licensed  
 1075 pursuant to this act without being so licensed.

1076 (f) Make any other misrepresentation, by act or omission,  
 1077 regarding the licensure or operation of a child care facility or  
 1078 family child ~~day~~ care home to a parent or guardian who has a  
 1079 child placed in the facility or is inquiring as to placing a  
 1080 child in the facility, or to a representative of the licensing  
 1081 authority, or to a representative of a law enforcement agency,  
 1082 including, but not limited to, any misrepresentation as to:

- 1083 1. The number of children at the child care facility or
- 1084 the family child ~~day~~ care home;
- 1085 2. The part of the child care facility or family child ~~day~~
- 1086 care home designated for child care;
- 1087 3. The qualifications or credentials of child care
- 1088 personnel;
- 1089 4. Whether a family child ~~day~~ care home or child care
- 1090 facility complies with the screening requirements of s. 402.305;
- 1091 or
- 1092 5. Whether child care personnel have the training as
- 1093 required by s. 402.305.

1094 (2) If any child care personnel makes any  
 1095 misrepresentation in violation of this section to a parent or  
 1096 guardian who has placed a child in the child care facility or  
 1097 family child ~~day~~ care home, and the parent or guardian relied  
 1098 upon the misrepresentation, and the child suffers great bodily  
 1099 harm, permanent disfigurement, permanent disability, or death as  
 1100 a result of an intentional act or negligence by the child care

1101 personnel, then the child care personnel commits a felony of the  
 1102 second degree, punishable as provided in s. 775.082, s. 775.083,  
 1103 or s. 775.084.

1104 (3) Each child care facility, family child ~~day~~ care home,  
 1105 and large family child care home shall annually submit an  
 1106 affidavit of compliance with s. 39.201.

1107 **Section 20. Paragraph (c) of subsection (2) of section**  
 1108 **409.988, Florida Statutes, is amended to read:**

1109 409.988 Community-based care lead agency duties; general  
 1110 provisions.—

1111 (2) LICENSURE.—

1112 (c) Substitute care providers who are licensed under s.  
 1113 409.175 and who have contracted with a lead agency are also  
 1114 authorized to provide registered or licensed family child ~~day~~  
 1115 care under s. 402.313 if such care is consistent with federal  
 1116 law and if the home has met the requirements of s. 402.313.

1117 **Section 21. Paragraph (b) of subsection (8) of section**  
 1118 **411.203, Florida Statutes, is amended to read:**

1119 411.203 Continuum of comprehensive services.—The  
 1120 Department of Education and the Department of Health shall  
 1121 utilize the continuum of prevention and early assistance  
 1122 services for high-risk pregnant women and for high-risk and  
 1123 handicapped children and their families, as outlined in this  
 1124 section, as a basis for the intraagency and interagency program  
 1125 coordination, monitoring, and analysis required in this chapter.

1126 The continuum shall be the guide for the comprehensive statewide  
 1127 approach for services for high-risk pregnant women and for high-  
 1128 risk and handicapped children and their families, and may be  
 1129 expanded or reduced as necessary for the enhancement of those  
 1130 services. Expansion or reduction of the continuum shall be  
 1131 determined by intraagency or interagency findings and agreement,  
 1132 whichever is applicable. Implementation of the continuum shall  
 1133 be based upon applicable eligibility criteria, availability of  
 1134 resources, and interagency prioritization when programs impact  
 1135 both agencies, or upon single agency prioritization when  
 1136 programs impact only one agency. The continuum shall include,  
 1137 but not be limited to:

1138 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS  
 1139 OF HIGH-RISK CHILDREN.—

1140 (b) Child care and early childhood programs, including,  
 1141 but not limited to, licensed child care facilities, family child  
 1142 ~~day~~ care homes, therapeutic child care, Head Start, and  
 1143 preschool programs in public and private schools.

1144 **Section 22. Subsection (1) of section 1002.59, Florida**  
 1145 **Statutes, is amended to read:**

1146 1002.59 Emergent literacy and performance standards  
 1147 training courses.—

1148 (1) The department, in collaboration with the Just Read,  
 1149 Florida! Office, shall adopt minimum standards for courses in  
 1150 emergent literacy for prekindergarten instructors. Each course

1151 must consist of 5 clock hours and provide instruction in  
1152 strategies and techniques to address the age-appropriate  
1153 progress of prekindergarten students in developing emergent  
1154 literacy skills, including oral communication, knowledge of  
1155 print and letters, phonological and phonemic awareness,  
1156 vocabulary and comprehension development, and foundational  
1157 background knowledge designed to correlate with the content that  
1158 students will encounter in grades K-12, consistent with the  
1159 evidence-based content and strategies grounded in the science of  
1160 reading identified pursuant to s. 1001.215(7). The course  
1161 standards must be reviewed as part of any review of subject  
1162 coverage or endorsement requirements in the elementary, reading,  
1163 and exceptional student educational areas conducted pursuant to  
1164 s. 1012.586. Each course must also provide resources containing  
1165 strategies that allow students with disabilities and other  
1166 special needs to derive maximum benefit from the Voluntary  
1167 Prekindergarten Education Program. Successful completion of an  
1168 emergent literacy training course approved under this section  
1169 satisfies requirements for approved training in early literacy  
1170 and language development under ss. 402.305(2)(e)4., 402.313(6),  
1171 and 402.3131(5) ~~ss. 402.305(2)(e)5., 402.313(6), and~~  
1172 ~~402.3131(5).~~

1173 **Section 23. Paragraph (u) of subsection (2) of section**  
1174 **1002.82, Florida Statutes, is amended to read:**

1175 1002.82 Department of Education; powers and duties.—

1176 (2) The department shall:

1177 (u) Administer a statewide toll-free Warm-Line to provide  
 1178 assistance and consultation to child care facilities and family  
 1179 child ~~day~~ care homes regarding health, developmental,  
 1180 disability, and special needs issues of the children they are  
 1181 serving, particularly children with disabilities and other  
 1182 special needs. The department shall:

1183 1. Annually inform child care facilities and family child  
 1184 ~~day~~ care homes of the availability of this service through the  
 1185 child care resource and referral network under s. 1002.92.

1186 2. Expand or contract for the expansion of the Warm-Line  
 1187 to maintain at least one Warm-Line in each early learning  
 1188 coalition service area.

1189 **Section 24. Paragraph (j) of subsection (4) of section**  
 1190 **1002.83, Florida Statutes, is amended to read:**

1191 1002.83 Early learning coalitions.—

1192 (4) Each early learning coalition must include the  
 1193 following member positions; however, in a multicounty coalition,  
 1194 each ex officio member position may be filled by multiple  
 1195 nonvoting members but no more than one voting member shall be  
 1196 seated per member position. If an early learning coalition has  
 1197 more than one member representing the same entity, only one of  
 1198 such members may serve as a voting member:

1199 (j) A representative of private for-profit child care  
 1200 providers, including private for-profit family child ~~day~~ care

1201 homes.

1202 **Section 25. Subsection (4) of section 1002.84, Florida**  
 1203 **Statutes, is amended to read:**

1204 1002.84 Early learning coalitions; school readiness powers  
 1205 and duties.—Each early learning coalition shall:

1206 (4) Establish a regional Warm-Line as directed by the  
 1207 department pursuant to s. 1002.82(2)(u). Regional Warm-Line  
 1208 staff shall provide onsite technical assistance, when requested,  
 1209 to assist child care facilities and family child ~~day~~ care homes  
 1210 with inquiries relating to the strategies, curriculum, and  
 1211 environmental adaptations the child care facilities and family  
 1212 child ~~day~~ care homes may need as they serve children with  
 1213 disabilities and other special needs.

1214 **Section 26. Paragraphs (a) and (c) of subsection (1) of**  
 1215 **section 1002.88, Florida Statutes, are amended to read:**

1216 1002.88 School readiness program provider standards;  
 1217 eligibility to deliver the school readiness program.—

1218 (1) To be eligible to deliver the school readiness  
 1219 program, a school readiness program provider must:

1220 (a) Be a child care facility licensed under s. 402.305, a  
 1221 family child ~~day~~ care home licensed or registered under s.  
 1222 402.313, a large family child care home licensed under s.  
 1223 402.3131, a public school or nonpublic school exempt from  
 1224 licensure under s. 402.3025, a faith-based child care provider  
 1225 exempt from licensure under s. 402.316, a before-school or

1226 after-school program described in s. 402.305(1)(c), a child  
 1227 development program that is accredited by a national accrediting  
 1228 body and operates on a military installation that is certified  
 1229 by the United States Department of Defense, an informal child  
 1230 care provider to the extent authorized in the state's Child Care  
 1231 and Development Fund Plan as approved by the United States  
 1232 Department of Health and Human Services pursuant to 45 C.F.R. s.  
 1233 98.18, or a provider who has been issued a provisional license  
 1234 pursuant to s. 402.309. A provider may not deliver the program  
 1235 while holding a probation-status license under s. 402.310.

1236 (c) Provide basic health and safety of its premises and  
 1237 facilities and compliance with requirements for age-appropriate  
 1238 immunizations of children enrolled in the school readiness  
 1239 program.

1240 1. For a provider that is licensed, compliance with s.  
 1241 402.305, s. 402.3131, or s. 402.313 and this subsection, as  
 1242 verified pursuant to s. 402.311, satisfies this requirement.

1243 2. For a provider that is a registered family child ~~day~~  
 1244 care home or is not subject to licensure or registration by the  
 1245 Department of Children and Families, compliance with this  
 1246 subsection, as verified pursuant to s. 402.311, satisfies this  
 1247 requirement. Upon verification pursuant to s. 402.311, the  
 1248 provider shall annually post the health and safety checklist  
 1249 adopted by the department prominently on its premises in plain  
 1250 sight for visitors and parents and shall annually submit the

1251 checklist to its local early learning coalition.

1252 3. For a child development program that is accredited by a  
 1253 national accrediting body and operates on a military  
 1254 installation that is certified by the United States Department  
 1255 of Defense, the submission and verification of annual  
 1256 inspections pursuant to United States Department of Defense  
 1257 Instructions 6060.2 and 1402.05 satisfies this requirement.

1258 **Section 27. Paragraph (c) of subsection (2) of section**  
 1259 **1002.895, Florida Statutes, is amended to read:**

1260 1002.895 Market rate schedule.—The school readiness  
 1261 program market rate schedule shall be implemented as follows:

1262 (2) The market rate schedule must differentiate rates by  
 1263 provider type, including, but not limited to:

1264 (c) Family child ~~day~~ care homes licensed or registered  
 1265 under s. 402.313.

1266 **Section 28. Paragraph (a) of subsection (3) and subsection**  
 1267 **(4) of section 1002.92, Florida Statutes, are amended to read:**

1268 1002.92 Child care and early childhood resource and  
 1269 referral.—

1270 (3) Child care resource and referral agencies shall  
 1271 provide the following services:

1272 (a) Identification of existing public and private child  
 1273 care and early childhood education services, including child  
 1274 care services by public and private employers, and the  
 1275 development of an early learning provider performance profile of

1276 those services through the single statewide information system  
1277 developed by the department under s. 1002.82(2)(q). These  
1278 services may include family child ~~day~~ care, public and private  
1279 child care programs, the Voluntary Prekindergarten Education  
1280 Program, Head Start, the school readiness program, special  
1281 education programs for prekindergarten children with  
1282 disabilities, services for children with developmental  
1283 disabilities, full-time and part-time programs, before-school  
1284 and after-school programs, and vacation care programs. The early  
1285 learning provider performance profile shall include, but not be  
1286 limited to:

- 1287 1. Type of program.
- 1288 2. Hours of service.
- 1289 3. Ages of children served.
- 1290 4. Number of children served.
- 1291 5. Program information.
- 1292 6. Fees and eligibility for services.
- 1293 7. Availability of transportation.
- 1294 8. Participation in the Child Care Food Program, if  
1295 applicable.
- 1296 9. A link to licensing inspection reports, if applicable.
- 1297 10. The components of the Voluntary Prekindergarten  
1298 Education Program performance metric calculated under s. 1002.68  
1299 which must consist of the program assessment composite score,  
1300 learning gains score, achievement score, and its designations,

1301 if applicable.

1302 11. The school readiness program assessment composite  
 1303 score and program assessment care level composite score results  
 1304 delineated by infant classrooms, toddler classrooms, and  
 1305 preschool classrooms results under s. 1002.82, if applicable.

1306 12. Gold Seal Quality Care designation under s. 1002.945,  
 1307 if applicable.

1308 13. Indication of whether the provider implements a  
 1309 curriculum approved by the department and the name of the  
 1310 curriculum, if applicable.

1311 14. Participation in school readiness child assessment  
 1312 under s. 1002.82.

1313 (4) A child care facility licensed under s. 402.305 and  
 1314 licensed and registered family child ~~day~~ care homes must provide  
 1315 the statewide child care and resource and referral network with  
 1316 the following information annually:

- 1317 (a) Type of program.
- 1318 (b) Hours of service.
- 1319 (c) Ages of children served.
- 1320 (d) Fees and eligibility for services.

1321 **Section 29. Subsection (2) of section 1002.93, Florida**  
 1322 **Statutes, is amended to read:**

1323 1002.93 School readiness program transportation services.—

1324 (2) The transportation servicers may only provide  
 1325 transportation to each child participating in the school

1326 readiness program to the extent that such transportation is  
1327 necessary to provide child care opportunities that otherwise  
1328 would not be available to a child whose home is more than a  
1329 reasonable walking distance from the nearest child care facility  
1330 or family child ~~day~~ care home.

1331 **Section 30. Paragraph (b) of subsection (1), paragraphs**  
1332 **(a) and (c) of subsection (3), and subsection (4) of section**  
1333 **1002.945, Florida Statutes, are amended to read:**

1334 1002.945 Gold Seal Quality Care Program.—

1335 (1)

1336 (b) A child care facility, large family child care home,  
1337 or family child ~~day~~ care home that is accredited by an  
1338 accrediting association approved by the Department of Education  
1339 under subsection (3) and meets all other requirements shall,  
1340 upon application to the department, receive a separate "Gold  
1341 Seal Quality Care" designation.

1342 (3)(a) In order to be approved by the Department of  
1343 Education for participation in the Gold Seal Quality Care  
1344 Program, an accrediting association must apply to the department  
1345 and demonstrate that it:

1346 1. Is a recognized accrediting association.

1347 2. Has accrediting standards that substantially meet or  
1348 exceed the Gold Seal Quality Care standards adopted by the state  
1349 board under subsection (2).

1350 3. Is a registered corporation with the Department of

1351 State.

1352 4. Can provide evidence that the process for accreditation

1353 has, at a minimum, all of the following components:

1354 a. Clearly defined prerequisites that a child care

1355 provider must meet before beginning the accreditation process.

1356 However, accreditation may not be granted to a child care

1357 facility, large family child care home, or family child ~~day~~ care

1358 home before the site is operational and is attended by children.

1359 b. Procedures for completion of a self-study and

1360 comprehensive onsite verification process for each classroom

1361 that documents compliance with accrediting standards.

1362 c. A training process for accreditation verifiers to

1363 ensure inter-rater reliability.

1364 d. Ongoing compliance procedures that include requiring

1365 each accredited child care facility, large family child care

1366 home, and family child ~~day~~ care home to file an annual report

1367 with the accrediting association and risk-based, onsite auditing

1368 protocols for accredited child care facilities, large family

1369 child care homes, and family child ~~day~~ care homes.

1370 e. Procedures for the revocation of accreditation due to

1371 failure to maintain accrediting standards as evidenced by sub-

1372 subparagraph d. or any other relevant information received by

1373 the accrediting association.

1374 f. Accreditation renewal procedures that include an onsite

1375 verification occurring at least every 5 years.

1376 g. A process for verifying continued accreditation  
 1377 compliance in the event of a transfer of ownership of  
 1378 facilities.

1379 h. A process to communicate issues that arise during the  
 1380 accreditation period with governmental entities that have a  
 1381 vested interest in the Gold Seal Quality Care Program, including  
 1382 the Department of Education, the Department of Children and  
 1383 Families, the Department of Health, local licensing entities if  
 1384 applicable, and the early learning coalition.

1385 (c) If an accrediting association has granted  
 1386 accreditation to a child care facility, large family child care  
 1387 home, or family child ~~day~~ care under fraudulent terms or failed  
 1388 to conduct onsite verifications, the accrediting association  
 1389 shall be liable for the repayment of any rate differentials paid  
 1390 under subsection (6).

1391 (4) In order to obtain and maintain a designation as a  
 1392 Gold Seal Quality Care provider, a child care facility, large  
 1393 family child care home, or family child ~~day~~ care home must meet  
 1394 the following additional criteria:

1395 (a) The child care provider must not have had any class I  
 1396 violations, as defined by rule of the Department of Children and  
 1397 Families, within the 2 years preceding its application for  
 1398 designation as a Gold Seal Quality Care provider. Commission of  
 1399 a class I violation shall be grounds for termination of the  
 1400 designation as a Gold Seal Quality Care provider until the

1401 provider has no class I violations for a period of 2 years.

1402 (b) The child care provider must not have had three or  
1403 more of the same class II violations, as defined by rule of the  
1404 Department of Children and Families, within the 2 years  
1405 preceding its application for designation as a Gold Seal Quality  
1406 Care provider. Commission of three or more of the same class II  
1407 violations within a 2-year period shall be grounds for  
1408 termination of the designation as a Gold Seal Quality Care  
1409 provider until the provider has no class II violations that are  
1410 the same for a period of 1 year.

1411 (c) The child care provider must not have been cited for  
1412 the same class III violation, as defined by rule of the  
1413 Department of Children and Families, three or more times and  
1414 failed to correct the violation within 1 year after the date of  
1415 each citation, within the 2 years preceding its application for  
1416 designation as a Gold Seal Quality Care provider. Commission of  
1417 the same class III violation three or more times and failure to  
1418 correct within the required time during a 2-year period may be  
1419 grounds for termination of the designation as a Gold Seal  
1420 Quality Care provider until the provider has no class III  
1421 violations for a period of 1 year.

1422 (d) Notwithstanding paragraph (a), if the Department of  
1423 Education determines through a formal process that a provider  
1424 has been in business for at least 5 years and has no other class  
1425 I violations recorded, the department may recommend to the state

1426 board that the provider maintain its Gold Seal Quality Care  
 1427 status. The state board's determination regarding such  
 1428 provider's status is final.

1429 **Section 31. Subsection (1) of section 1002.95, Florida**  
 1430 **Statutes, is amended to read:**

1431 1002.95 Teacher Education and Compensation Helps (TEACH)  
 1432 Scholarship Program.—

1433 (1) The department may contract for the administration of  
 1434 the Teacher Education and Compensation Helps (TEACH) Scholarship  
 1435 Program, which provides educational scholarships to caregivers  
 1436 and administrators of early childhood programs, family child day~~day~~  
 1437 care homes, and large family child care homes. The goal of the  
 1438 program is to increase the education and training for  
 1439 caregivers, increase the compensation for child caregivers who  
 1440 complete the program requirements, and reduce the rate of  
 1441 participant turnover in the field of early childhood education.

1442 **Section 32.** This act shall take effect July 1, 2025.