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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/04/2026 02:34 PM

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Senator Calatayud moved the following:

Senate Amendment (with title amendment)

Delete lines 52 - 675

and insert:

Section 1. Subsections (2), (3), (8), (9), and (11) of section 402.302, Florida Statutes, are amended to read:

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

(2) "Child care facility" includes any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care,



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12 wherever operated, and whether or not operated for profit. The
13 following are not included:

14 (a) Public schools and nonpublic schools and their
15 administered integral programs, except as provided in s.
16 402.3025.~~†~~

17 (b) Summer camps having children in full-time residence.~~†~~

18 (c) Summer day camps.~~†~~

19 (d) Bible schools normally conducted during vacation
20 periods.~~†~~ and

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

26 (f) Before-school and after-school programs, and any
27 programs during off-school hours, offered and operated by public
28 and nonpublic elementary schools at school sites for the
29 schools' student populations.

30 (3) "Child care personnel" means all owners, operators,
31 employees, and volunteers working in a child care facility. The
32 term does not include persons who work in a child care facility
33 after hours when children are not present or parents of children
34 in a child care facility. For purposes of screening, the term
35 includes any member, over the age of 12 years, of a child care
36 facility operator's family, or person, over the age of 12 years,
37 residing with a child care facility operator if the child care
38 facility is located in or adjacent to the home of the operator
39 or if the family member of, or person residing with, the child
40 care facility operator has any direct contact with the children



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41 in the facility during its hours of operation. Members of the
42 operator's family or persons residing with the operator who are
43 between the ages of 12 years and 18 years are not required to be
44 fingerprinted but must be screened for delinquency records. For
45 purposes of screening, the term also includes persons who work
46 in child care programs that provide care for children 15 hours
47 or more each week in public or nonpublic schools, family child
48 ~~day~~ care homes, membership organizations under s. 402.301, or
49 programs otherwise exempted under s. 402.316. The term does not
50 include public or nonpublic school personnel who are providing
51 care during regular school hours, or after hours for activities
52 related to a school's program for students attending public or
53 nonpublic school programs ~~grades kindergarten through 12~~. A
54 volunteer who assists on an intermittent basis for less than 10
55 hours per month is not included in the term "personnel" for the
56 purposes of screening and training if a person who meets the
57 screening requirement of s. 402.305(2) is always present and has
58 the volunteer in his or her line of sight. Students who observe
59 and participate in a child care facility as a part of their
60 required coursework are not considered child care personnel,
61 provided such observation and participation are on an
62 intermittent basis and a person who meets the screening
63 requirement of s. 402.305(2) is always present and has the
64 student in his or her line of sight.

65 (8) "Family child ~~day~~ care home" means an occupied
66 residence in which child care is regularly provided for children
67 from at least two unrelated families and which receives a
68 payment, fee, or grant for any of the children receiving care,
69 whether or not operated for profit. Household children under 13



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70 years of age, when on the premises of the family child ~~day~~ care
71 home or on a field trip with children enrolled in child care,
72 shall be included in the overall capacity of the licensed home.
73 A family child ~~day~~ care home shall be allowed to provide care
74 for one of the following groups of children, which shall include
75 household children under 13 years of age:

76 (a) A maximum of four children from birth to 12 months of
77 age.

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

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

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

85 (9) "Household children" means children who are related by
86 blood, marriage, or legal adoption to, or who are the legal
87 wards of, the family child ~~day~~ care home operator, the large
88 family child care home operator, or an adult household member
89 who permanently or temporarily resides in the home. Supervision
90 of the operator's household children shall be left to the
91 discretion of the operator unless those children receive
92 subsidized child care through the school readiness program
93 pursuant to s. 1002.92 to be in the home.

94 (11) "Large family child care home" means an occupied
95 residence in which child care is regularly provided for children
96 from at least two unrelated families, which receives a payment,
97 fee, or grant for any of the children receiving care, whether or
98 not operated for profit, and which has at least two full-time



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99 child care personnel on the premises during the hours of
100 operation. One of the two full-time child care personnel must be
101 the owner or occupant of the residence. A large family child
102 care home must first have operated as a licensed family child
103 ~~day~~ care home for 2 years, with an operator who has had a child
104 development associate credential or its equivalent for 1 year,
105 before seeking licensure as a large family child care home.
106 Household children under 13 years of age, when on the premises
107 of the large family child care home or on a field trip with
108 children enrolled in child care, shall be included in the
109 overall capacity of the licensed home. A large family child care
110 home shall be allowed to provide care for one of the following
111 groups of children, which shall include household children under
112 13 years of age:

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

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

116 Section 2. Subsection (3) of section 402.306, Florida
117 Statutes, is amended to read:

118 402.306 Designation of licensing agency; dissemination by
119 the department and local licensing agency of information on
120 child care.—

121 (3) The department and local licensing agencies, or the
122 designees thereof, shall be responsible for coordination and
123 dissemination of information on child care to the community and
124 shall make available through electronic means all licensing
125 standards and procedures, health and safety standards for school
126 readiness providers, monitoring and inspection reports, and the
127 names and addresses of ~~licensed~~ child care facilities, school



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128 readiness program providers, and, where applicable pursuant to
129 s. 402.313, licensed or registered family child ~~day~~ care homes.
130 This information shall also include the number of deaths,
131 serious injuries, and instances of substantiated child abuse
132 that have occurred in child care settings, including those that
133 are exempt pursuant to s. 402.316(1) or (2), each year; research
134 and best practices in child development; and resources regarding
135 social-emotional development, parent and family engagement,
136 healthy eating, and physical activity.

137 Section 3. Section 402.313, Florida Statutes, is amended to
138 read:

139 402.313 Family child ~~day~~ care homes.—

140 (1) Family child ~~day~~ care homes shall be licensed under
141 this act if they are presently being licensed under an existing
142 county licensing ordinance or if the board of county
143 commissioners passes a resolution that family child ~~day~~ care
144 homes be licensed.

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

- 148 1. The name and address of the home.
- 149 2. The name of the operator.
- 150 3. The number of children served.
- 151 4. Proof of a written plan to provide at least one other
152 competent adult to be available to substitute for the operator
153 in an emergency. This plan shall include the name, address, and
154 telephone number of the designated substitute.
- 155 5. Proof of screening and background checks.
- 156 6. Proof of successful completion of the 30-hour training



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157 course, as evidenced by passage of a competency examination,
158 which shall include:

159 a. State and local rules and regulations that govern child
160 care.

161 b. Health, safety, and nutrition.

162 c. Identifying and reporting child abuse and neglect.

163 d. Child development, including typical and atypical
164 language development; and cognitive, motor, social, and self-
165 help skills development.

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

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

173 7. Proof that immunization records are kept current.

174 8. Proof of completion of the required continuing education
175 units or clock hours.

176 (b) A family child day care home may volunteer to be
177 licensed under this act.

178 (c) The department may provide technical assistance to
179 counties and family child day care home providers to enable
180 counties and family child day care providers to achieve
181 compliance with family child day care homes standards.

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

185 (3) Child care personnel in family child day care homes



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186 shall be subject to the applicable screening provisions
187 contained in ss. 402.305(2) and 402.3055. For purposes of
188 screening in family child ~~day~~ care homes, the term includes any
189 member over the age of 12 years of a family child ~~day~~ care home
190 operator's family, or persons over the age of 12 years residing
191 with the operator in the family child ~~day~~ care home. Members of
192 the operator's family, or persons residing with the operator,
193 who are between the ages of 12 years and 18 years shall not be
194 required to be fingerprinted, but shall be screened for
195 delinquency records.

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

200 (5) In order to further develop their child care skills
201 and, if appropriate, their administrative skills, operators of
202 family child ~~day~~ care homes shall be required to complete an
203 additional 1 continuing education unit of approved training or
204 10 clock hours of equivalent training, as determined by the
205 department, annually.

206 (6) Operators of family child ~~day~~ care homes shall be
207 required to complete 0.5 continuing education unit of approved
208 training in early literacy and language development of children
209 from birth to 5 years of age one time. The year that this
210 training is completed, it shall fulfill the 0.5 continuing
211 education unit or 5 clock hours of the annual training required
212 in subsection (5).

213 (7) Operators of family child ~~day~~ care homes shall be
214 required annually to complete a health and safety home



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215 inspection self-evaluation checklist developed by the department
216 in conjunction with the statewide resource and referral program.
217 The completed checklist shall be signed by the operator of the
218 family child ~~day~~ care home and provided to parents as
219 certification that basic health and safety standards are being
220 met.

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

223 (9) The department shall prepare a brochure on family child
224 ~~day~~ care for distribution by the department and by local
225 licensing agencies, if appropriate, to family child ~~day~~ care
226 homes for distribution to parents utilizing such child care, and
227 to all interested persons, including physicians and other health
228 professionals; mental health professionals; school teachers or
229 other school personnel; social workers or other professional
230 child care, foster care, residential, or institutional workers;
231 and law enforcement officers. The brochure shall, at a minimum,
232 contain the following information:

233 (a) A brief description of the requirements for family
234 child ~~day~~ care registration, training, and fingerprinting and
235 screening.

236 (b) A listing of those counties that require licensure of
237 family child ~~day~~ care homes. Such counties shall provide an
238 addendum to the brochure that provides a brief description of
239 the licensure requirements or may provide a brochure in lieu of
240 the one described in this subsection, provided it contains all
241 the required information on licensure and the required
242 information in the subsequent paragraphs.

243 (c) A statement indicating that information about the



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244 family child ~~day~~ care home's compliance with applicable state or
245 local requirements can be obtained by telephoning the department
246 office or the office of the local licensing agency, if
247 appropriate, at a telephone number or numbers which shall be
248 affixed to the brochure.

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

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

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

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

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

266 (c) The number of complaints received concerning family
267 child ~~day~~ care, the nature of the complaints, and the resolution
268 of such complaints.

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

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273 The evaluation shall be utilized by the department in any
274 administrative modifications or adjustments to be made in the
275 registration of family child ~~day~~ care homes or in any
276 legislative requests for modifications to the system of
277 registration or to other requirements for family child ~~day~~ care
278 homes.

279 (11) In order to inform the public of the state requirement
280 for registration of family child ~~day~~ care homes as well as the
281 other requirements for such homes to legally operate in the
282 state, the department shall institute a media campaign to
283 accomplish this end. Such a campaign shall include, at a
284 minimum, flyers, newspaper advertisements, radio advertisements,
285 and television advertisements.

286 (12) Notwithstanding any other state or local law or
287 ordinance, any family child ~~day~~ care home licensed pursuant to
288 this chapter or pursuant to a county ordinance shall be charged
289 the utility rates accorded to a residential home. A licensed
290 family child ~~day~~ care home may not be charged commercial utility
291 rates.

292 (13) The department shall, by rule, establish minimum
293 standards for family child ~~day~~ care homes that are required to
294 be licensed by county licensing ordinance or county licensing
295 resolution or that voluntarily choose to be licensed. The
296 standards should include requirements for staffing, training,
297 maintenance of immunization records, minimum health and safety
298 standards, reduced standards for the regulation of child care
299 during evening hours by municipalities and counties, and
300 enforcement of standards.

301 ~~(14) During the months of August and September of each~~



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302 ~~year, each family day care home shall provide parents of~~
303 ~~children enrolled in the home detailed information regarding the~~
304 ~~causes, symptoms, and transmission of the influenza virus in an~~
305 ~~effort to educate those parents regarding the importance of~~
306 ~~immunizing their children against influenza as recommended by~~
307 ~~the Advisory Committee on Immunization Practices of the Centers~~
308 ~~for Disease Control and Prevention.~~

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

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

324 402.3131 Large family child care homes.-

325 ~~(9) During the months of August and September of each year,~~
326 ~~each large family child care home shall provide parents of~~
327 ~~children enrolled in the home detailed information regarding the~~
328 ~~causes, symptoms, and transmission of the influenza virus in an~~
329 ~~effort to educate those parents regarding the importance of~~
330 ~~immunizing their children against influenza as recommended by~~



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331 ~~the Advisory Committee on Immunization Practices of the Centers~~
332 ~~for Disease Control and Prevention.~~

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

346 Section 5. Section 402.316, Florida Statutes, is amended to
347 read:

348 402.316 Exemptions.—

349 (1) The provisions of ss. 402.301-402.319, except for the
350 requirements regarding screening of child care personnel
351 pursuant to ss. 402.305 and 402.3055, do not apply to a child
352 care facility that ~~which~~ is an integral part of church or
353 parochial schools, ~~or a child care facility that solely provides~~
354 ~~child care to eligible children as defined in s. 402.261(1)(c),~~
355 conducting regularly scheduled classes, courses of study, or
356 educational programs accredited by, or by a member of, an
357 organization that ~~which~~ publishes and requires compliance with
358 its standards for health, safety, and sanitation. ~~However,~~ Such
359 facilities must ~~shall~~ meet minimum requirements of the



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360 applicable local governing body as to health, sanitation, and
361 safety ~~and shall meet the screening requirements pursuant to ss.~~
362 ~~402.305 and 402.3055.~~ Failure by a facility to comply with such
363 screening requirements pursuant to ss. 402.305 and 402.3055
364 shall result in the loss of the facility's exemption from
365 licensure.

366 (2) The provisions of ss. 402.301-402.319, except for the
367 requirements regarding screening of child care personnel
368 pursuant to ss. 402.305 and 402.3055, do not apply to a child
369 care facility that solely provides child care to eligible
370 children as defined in s. 402.261(1)(c). Such facilities must
371 meet minimum requirements of the applicable local governing body
372 as to health, sanitation, and safety. Failure by a facility to
373 comply with screening requirements pursuant to ss. 402.305 and
374 402.3055 shall result in the loss of the facility's exemption
375 from licensure.

376 (3)(2) The provisions of ss. 402.301-402.319 do not apply
377 to a child care facility or family child day care home if the
378 child care facility or family child day care home has a
379 certificate issued by the United States Department of Defense or
380 by the United States Coast Guard to provide child care and has
381 completed background screening by the United States Department
382 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86
383 and received a favorable suitability and fitness determination.
384 If the child care facility or family child day care home elects
385 to serve children ineligible for care under the United States
386 Department of Defense Instruction 6060.02, the child care
387 facility or family child day care home must be licensed under
388 this chapter.



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389 (4)~~(3)~~ Any child care facility covered by the exemption
390 under subsection (1) or subsection (2) which desires to be
391 licensed may submit an application to the department or local
392 licensing agency pursuant to s. 402.308(4).

393 (5)~~(4)~~ The department and the local licensing agency
394 pursuant to s. 402.308(4) shall adopt rules to administer and
395 implement this section, including, but not limited to, any
396 assessments of previous licensure history.

397 (6) A child care facility exempt under subsection (1) or
398 subsection (2) must include, at a minimum, the following
399 statement on its website, in its promotional materials, and on
400 its facility-created documents and forms provided to families
401 served by the child care facility: "(Child care facility name)
402 is a child care facility operating under an exemption pursuant
403 to the laws of the State of Florida and is not subject to
404 licensure or regulation by the Department of Children and
405 Families."

406 Section 6. Section 627.70161, Florida Statutes, is amended
407 to read:

408 627.70161 Family child day care and large family child care
409 insurance.—

410 (1) PURPOSE AND INTENT.—The Legislature recognizes that
411 family child day care and large family child care homes fulfill
412 a vital role in providing child care in Florida. It is the
413 intent of the Legislature that residential property insurance
414 coverage should not be canceled, denied, or nonrenewed solely on
415 the basis of the child family day care services at the
416 residence. The Legislature also recognizes that the potential
417 liability of residential property insurers is substantially



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418 increased by the rendition of child care services on the
419 premises. The Legislature therefore finds that there is a public
420 need to specify that contractual liabilities that arise in
421 connection with the operation of the family child day care home
422 or the large family child care home are excluded from
423 residential property insurance policies unless they are
424 specifically included in such coverage.

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

426 (a) "Child care" means the care, protection, and
427 supervision of a child, for a period of less than 24 hours a day
428 on a regular basis, which supplements parental care, enrichment,
429 and health supervision for the child, in accordance with his or
430 her individual needs, and for which a payment, fee, or grant is
431 made for care.

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

437 (c) "Large family child care home" means an occupied
438 residence in which child care is regularly provided for children
439 from at least two unrelated families; which receives a payment,
440 fee, or grant for any of the children receiving care, whether or
441 not operated for profit; and which has at least two full-time
442 child care personnel on the premises during the hours of
443 operation. One of the two full-time child care personnel must be
444 the owner or occupant of the residence. A large family child
445 care home must first have operated as a licensed family child
446 care home for at least 2 years, with an operator who has held a



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447 child development associate credential or its equivalent for at
448 least 1 year, before seeking licensure as a large family child
449 care home. Household children under 13 years of age, when on the
450 premises of the large family child care home or on a field trip
451 with children enrolled in child care, must be included in the
452 overall capacity of the licensed home. A large family child care
453 home may provide care for one of the following groups of
454 children, which must include household children under 13 years
455 of age:

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

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

459 (3) FAMILY CHILD DAY CARE AND LARGE FAMILY CHILD CARE
460 HOMES; COVERAGE.—A residential property insurance policy may
461 shall not provide coverage for liability for claims arising out
462 of, or in connection with, the operation of a family child day
463 care home or a large family child care home, and the insurer
464 shall be under no obligation to defend against lawsuits covering
465 such claims, unless:

466 (a) Specifically covered in a policy; or

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

469 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
470 insurer may not deny, cancel, or refuse to renew a policy for
471 residential property insurance solely on the basis that the
472 policyholder or applicant operates a family child day care home
473 or a large family child care home. In addition to other lawful
474 reasons for refusing to insure, an insurer may deny, cancel, or
475 refuse to renew a policy of a family child day care home or



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476 large family child care home provider if one or more of the
477 following conditions occur:

478 (a) The policyholder or applicant provides care for more
479 children than authorized ~~for family day care homes~~ by s.
480 402.302;

481 (b) The policyholder or applicant fails to maintain a
482 separate commercial liability policy or an endorsement providing
483 liability coverage for the family child day care home or large
484 family child care home operations;

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

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

494 Section 7. Section 1001.24, Florida Statutes, is amended to
495 read:

496 1001.24 Direct-support organization; use of property; board
497 of directors; audit.—

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

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

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



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505 2. That is organized and operated exclusively to receive,
506 hold, invest, and administer property and to make expenditures
507 to or for the benefit of the early learning programs under parts
508 V and VI of chapter 1002, child care facilities licensed under
509 s. 402.305, family child care homes licensed or registered under
510 s. 402.313, large family child care homes licensed under s.
511 402.3131, and public prekindergarten through 12th grade
512 education in this state.

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

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

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

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

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

527 (c) Shall not permit the use of property, facilities, or
528 personal services of the direct-support organization if such
529 organization does not provide equal employment opportunities to
530 all persons, regardless of race, color, national origin, gender,
531 age, or religion.

532 (3) BOARD OF DIRECTORS.—The board of directors of the
533 department direct-support organization shall be appointed by the



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534 commissioner and shall include representation from business,
535 industry, and other components of Florida's economy.

536 (4) ANNUAL AUDIT.—Each direct-support organization shall provide
537 for an annual financial audit in accordance with s. 215.981. The
538 identity of donors who desire to remain anonymous shall be
539 protected, and that anonymity shall be maintained in the
540 auditor's report. All records of the organization other than the
541 auditor's report, management letter, and any supplemental data
542 requested by the Auditor General and the Office of Program
543 Policy Analysis and Government Accountability shall be
544 confidential and exempt from the provisions of s. 119.07(1).

545 Section 8. Section 1002.821, Florida Statutes, is created
546 to read:

547 1002.821 Florida Child Care Fund.—The Florida Child Care
548 Fund is established to support early learning and child care
549 needs of Florida families.

550 (1) A Department of Education direct-support organization
551 established pursuant to s. 1001.24 shall administer the fund.

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

555 (b) Any legislative appropriation from the Child Care and
556 Development Block Grant Trust Fund which may be provided to the
557 Florida Child Care Fund shall be deposited into the Early
558 Learning Fund and shall be used to fund children from the
559 waiting list under subparagraph (3) (a) 1.

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

562 (3) Funds shall be used to provide:



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563 (a) Care for children from birth until the child is
564 eligible to enroll in kindergarten in accordance with:
565 1. An allocation methodology to fund the waiting list of
566 early learning coalitions; or
567 2. The intentions of a donor.
568 (b) The early learning coalition shall fund school
569 readiness program providers and providers selected by the
570 donor's recipient at the reimbursement rate calculated pursuant
571 to s. 1002.84(17). If the provider selected by the donor's
572 recipient is not a school readiness program provider, the
573 department shall adopt a contract for use by an early learning
574 coalition with the provider to provide such funds.
575 (c) Any family served under subparagraph (a)1. shall have
576 an early learning coalition apply a parent copayment based on
577 family income pursuant to s. 1002.84(9) or s. 1002.935(2)(b).
578 (4) Beginning January 1, 2027, and annually thereafter, the
579 Division of Early Learning shall prepare, and the department
580 shall publish on its website, a report that summarizes the
581 performance of the Florida Child Care Fund and the fund's
582 fundraising activities for the previous fiscal year, and
583 identifies the child care needs supported by the fund principal
584 or earnings and those supported by private sources, bequests,
585 gifts, grants, and donations. The report must also include all
586 of the following:
587 (a) Outcome data, including the number of children served
588 and any child outcomes, by each early learning coalition.
589 (b) The amount of funds spent on administrative expenses
590 and fundraising and the amount of funds raised from private
591 sources.



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592 Section 9. Present subsection (2) of section 1002.95,
593 Florida Statutes, is redesignated as subsection (3), and a new
594 subsection (2) is added to that section, to read:

595 1002.95 Teacher Education and Compensation Helps (TEACH)
596 Scholarship Program.—

597 (2) Subject to an appropriation, the TEACH Scholarship
598 Program administrator shall also establish and administer the
599 Center for Early Childhood Professional Recognition to ensure
600 alignment of training statewide, including, but not limited to,
601 a system of training approval, a system of trainer approval, and
602 implementation of competency-based assessments aligned to the
603 early learning professional development standards and career
604 pathways under s. 1002.995.

605 Section 10. Paragraph (a) of subsection (2) of section
606 39.202, Florida Statutes, is amended to read:

607 39.202 Confidentiality of reports and records in cases of
608 child abuse or neglect; exception.—

609 (2) Except as provided in subsection (4), access to such
610 records, excluding the name of, or other identifying information
611 with respect to, the reporter which may only be released as
612 provided in subsection (5), may only be granted to the following
613 persons, officials, and agencies:

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

- 619 1. Child or adult protective investigations;
620 2. Ongoing child or adult protective services;



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- 621 3. Early intervention and prevention services;
622 4. Healthy Start services;
623 5. Licensure or approval of adoptive homes, foster homes,
624 child care facilities, facilities licensed under chapters 393
625 and 394, family child day care homes, providers who receive
626 school readiness funding under part VI of chapter 1002, or other
627 homes used to provide for the care and welfare of children;
628 6. Employment screening for caregivers in residential group
629 homes and facilities licensed under chapters 393, 394, and 409;
630 or
631 7. Services for victims of domestic violence when provided
632 by certified domestic violence centers working at the
633 department's request as case consultants or with shared clients.

634
635 Also, employees or agents of the Department of Juvenile Justice
636 responsible for the provision of services to children, pursuant
637 to chapters 984 and 985.

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

640 125.0109 Family child day care homes; local zoning
641 regulation.—The operation of a residence as a family child day
642 care home, as defined by law, registered or licensed with the
643 Department of Children and Families shall constitute a valid
644 residential use for purposes of any local zoning regulations,
645 and no such regulation shall require the owner or operator of
646 such family child day care home to obtain any special exemption
647 or use permit or waiver, or to pay any special fee in excess of
648 \$50, to operate in an area zoned for residential use.

649 Section 12. Section 166.0445, Florida Statutes, is amended



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650 to read:

651 166.0445 Family child ~~day~~ care homes; local zoning
652 regulation.—The operation of a residence as a family child ~~day~~
653 care home, as defined by law, registered or licensed with the
654 Department of Children and Families shall constitute a valid
655 residential use for purposes of any local zoning regulations,
656 and no such regulation shall require the owner or operator of
657 such family child ~~day~~ care home to obtain any special exemption
658 or use permit or waiver, or to pay any special fee in excess of
659 \$50, to operate in an area zoned for residential use.

660 Section 13. Paragraph (j) of subsection (7) of section
661 212.08, Florida Statutes, is amended to read:

662 212.08 Sales, rental, use, consumption, distribution, and
663 storage tax; specified exemptions.—The sale at retail, the
664 rental, the use, the consumption, the distribution, and the
665 storage to be used or consumed in this state of the following
666 are hereby specifically exempt from the tax imposed by this
667 chapter.

668 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
669 entity by this chapter do not inure to any transaction that is
670 otherwise taxable under this chapter when payment is made by a
671 representative or employee of the entity by any means,
672 including, but not limited to, cash, check, or credit card, even
673 when that representative or employee is subsequently reimbursed
674 by the entity. In addition, exemptions provided to any entity by
675 this subsection do not inure to any transaction that is
676 otherwise taxable under this chapter unless the entity has
677 obtained a sales tax exemption certificate from the department
678 or the entity obtains or provides other documentation as



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679 required by the department. Eligible purchases or leases made
680 with such a certificate must be in strict compliance with this
681 subsection and departmental rules, and any person who makes an
682 exempt purchase with a certificate that is not in strict
683 compliance with this subsection and the rules is liable for and
684 shall pay the tax. The department may adopt rules to administer
685 this subsection.

686 (j) *Household fuels.*—Also exempt from payment of the tax
687 imposed by this chapter are sales of utilities to residential
688 households or owners of residential models in this state by
689 utility companies who pay the gross receipts tax imposed under
690 s. 203.01, and sales of fuel to residential households or owners
691 of residential models, including oil, kerosene, liquefied
692 petroleum gas, coal, wood, and other fuel products used in the
693 household or residential model for the purposes of heating,
694 cooking, lighting, and refrigeration, regardless of whether such
695 sales of utilities and fuels are separately metered and billed
696 direct to the residents or are metered and billed to the
697 landlord. If any part of the utility or fuel is used for a
698 nonexempt purpose, the entire sale is taxable. The landlord
699 shall provide a separate meter for nonexempt utility or fuel
700 consumption. For the purposes of this paragraph, licensed family
701 child day care homes shall also be exempt.

702
703 ===== T I T L E A M E N D M E N T =====

704 And the title is amended as follows:

705 Delete lines 3 - 43

706 and insert:

707 services; amending s. 402.302, F.S. revising



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708 definitions; amending s. 402.306, F.S.; revising the
709 information on child care required to be disseminated
710 electronically to the community; amending ss. 402.313
711 and 402.3131, F.S.; deleting the requirement that
712 family child care homes and large family child care
713 homes, respectively, provide specified information to
714 parents each year; conforming provisions to changes
715 made by the act; amending s. 402.316, F.S.; requiring
716 certain child care facilities exempt from licensure
717 requirements to meet certain minimum requirements;
718 providing that failure to meet such minimum
719 requirements results in the loss of the exemption from
720 licensure; requiring a child care facility exempt from
721 licensure requirements to include a specified
722 statement on its website and in its promotional
723 materials and facility-created documents and forms
724 provided to families served by the child care
725 facility; amending s. 627.70161, F.S.; changing the
726 term "family day care home" to "family child care
727 home"; providing legislative findings and intent
728 relating to large family child care homes; defining
729 the term "large family child care home"; prohibiting
730 residential property insurance policies from providing
731 coverage for liability for claims arising out of, or
732 in connection with, the operations of large family
733 child care homes; providing that insurers are under no
734 obligation to defend against lawsuits covering such
735 claims; providing exceptions; prohibiting insurers
736 from denying, cancelling, or refusing to renew a



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737 policy for residential property insurance on the basis
738 that the policyholders or applicants operate large
739 family child care homes; providing exceptions;
740 amending s. 1001.24, F.S.; revising the definition of
741 the term "Department of Education direct-support
742 organization"; creating s. 1002.821, F.S.; creating
743 the Florida Child Care Fund for a specified purpose;
744 requiring a Department of Education direct-support
745 organization to administer the fund; requiring funds
746 to be deposited into the Early Learning Fund;
747 requiring that funds from state sources and interest
748 earnings be accounted for separately; providing for
749 the use of the funds; requiring the Division of Early
750 Learning to prepare, and the Department of Education
751 to publish on its website, an annual report on the
752 performance of the fund; specifying requirements for
753 the report; amending s. 1002.95, F.S.; requiring the
754 administrator of the Teacher Education and
755 Compensation Helps Scholarship Program, subject to an
756 appropriation, to establish and administer the Center
757 for Early Childhood Professional Recognition for a
758 specified purpose; amending ss. 39.202, 125.0109,
759 166.0445, 212.08, 402.305, 402.309, 402.310,