

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: CS/CS/SB 1690

INTRODUCER: Education Pre-K - 12 Committee; Children, Families, and Elder Affairs Committee; and Senator Calatayud

SUBJECT: Child Care and Early Learning Services

DATE: February 23, 2026      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fiore</u>	<u>Tuszynski</u>	<u>CF</u>	<u>Fav/CS</u>
2.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
3.	<u>Sneed</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 1690 makes several statutory changes relating to early childhood education and child care regulation, and directs initiatives to enhance early childhood education.

In child care regulation, the bill:

- Amends references to “family *day care* home” to “family *child care* home” throughout Florida Statutes.
- Requires the Department of Children and Families and local licensing agencies to disseminate electronically certain information regarding all child care facilities to the community.
- Removes the annual requirements for family day care homes and large family child care homes to provide parents with information related to flu shots and leaving children in a vehicle unattended.
- Requires child care facilities that are exempt from licensure to include a specified statement regarding their exemption on their website, promotional materials and facility-created documents, and forms provided to families.
- Adds “large family child care” as a type of child care services where the cancelation, denial, or nonrenewal of residential property insurance is prohibited solely on the basis that those services are provided at the residence.

In early childhood education, the bill:

- Authorizes the Florida Education Foundation, Inc., to raise and manage funds and property for the benefit of the state's early learning programs for children ages zero to five.
- Establishes the Florida Endowment for Early Learning within the Florida Education Foundation, Inc., to broaden the participation and funding potential to support and promote early learning opportunities.
- Expands the role of the TEACH Scholarship Program administrator to establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments for early learning professionals.

The bill has an anticipated negative fiscal impact of \$114,739 related to the Florida Endowment for Early Learning Foundation. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

## II. Present Situation:

### Child Care Regulation

Florida regulates child care facilities, family day care homes, and large family child care homes under Chapter 402, F.S., which establishes licensure requirements, minimum standards, and enforcement authority for the Department of Children and Families (DCF). "Child care" is the care, protection and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.<sup>1</sup> If a program meets the statutory definition of child care, it is subject to regulation by the DCF or a local licensing agency, unless statute specifically excludes or exempts it from regulation.<sup>2</sup>

The child care licensing program is administered by the DCF and is accountable for the statewide licensure of Florida's child care facilities,<sup>3</sup> large family child care homes,<sup>4</sup> and the licensure or registration of family day care homes.<sup>5</sup> Licensing standards for child care facilities must address personnel qualifications, health and safety requirements, sanitation, emergency preparedness, and training, including cardiopulmonary resuscitation requirements.<sup>6</sup> Child care facilities must have at least one staff person trained in person in cardiopulmonary resuscitation present at all times that children are present.<sup>7</sup>

Family day care homes must be licensed if the home is currently licensed under an existing county licensing ordinance or if the board of county commissioners passes a resolution that

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<sup>1</sup> Section 402.302(1), F.S.

<sup>2</sup> Sections 402.301-402.319, F.S.

<sup>3</sup> Section 402.305, F.S.

<sup>4</sup> Section 402.3131, F.S.

<sup>5</sup> Section 402.313, F.S.

<sup>6</sup> Section 402.305, F.S.

<sup>7</sup> Section 402.305(7), F.S.

family day care homes must be licensed. If not subject to licensure, a family day care home must register with the DCF.<sup>8</sup>

### ***Public Access to Child Care Information***

The DCF and local licensing agencies must make available through electronic means all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and identifying information for licensed child care facilities, school readiness providers, and licensed or registered family day care homes.<sup>9</sup> In addition, the required information includes annual data on deaths, serious injuries, and substantiated instances of child abuse occurring in child care settings.<sup>10</sup> Because information captured in these reports is specific to *licensed* child care facilities, those which are exempt from licensure are not required to be included in these public reports.

### ***Child Care Licensure Exemptions***

A “child care facility” is generally defined as any arrangement providing care for more than five unrelated children for compensation.<sup>11</sup> Florida law provides exemptions from licensure requirements for certain child care facilities while preserving minimum health and safety protections.<sup>12</sup> Child care facilities that are an integral part of church or parochial schools and those that are operated by a business for the benefit of its employees are exempt from licensure requirements, but must comply with local health, sanitation, and safety requirements and with state background screening requirements for child care personnel.<sup>13</sup> In addition, child care facilities and family day care homes that hold a certificate from the U.S. Department of Defense or the U.S. Coast Guard and meet applicable federal background screening standards are exempt from licensure unless they elect to serve children who are ineligible for care under federal military child care rules.<sup>14</sup>

### ***Family Day Care Homes and Large Family Child Care Homes***

A “family day care home” is an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receive payments, fees, or grants for the children receiving care, whether or not operated for profit.<sup>15</sup> Florida law establishes tiered capacity limits for family day care homes based on the number and ages of children in care.<sup>16</sup>

- Up to four children from birth to 12 months of age;
- Up to three children from birth to 12 months of age, plus additional children, for a maximum total of six children;
- Up to six preschool children, provided all children are older than 12 months of age; or

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<sup>8</sup> Section 402.305(7), F.S.

<sup>9</sup> Section 402.306(3), F.S.

<sup>10</sup> *Id.*; and *see also* Florida Department of Children and Families, *Brochures, Fact Sheets, and Reports*, <https://www.myflfamilies.com/services/child-family/child-care/child-care-providers-and-staff/brochures-fact-sheets-and-reports> (last visited on Feb. 19, 2026).

<sup>11</sup> Section 402.302(2), F.S.

<sup>12</sup> Section 402.316, F.S.

<sup>13</sup> Section 402.316(1), F.S.

<sup>14</sup> Section 402.316(2), F.S.

<sup>15</sup> Sections 402.302(8) and 402.313, F.S.

<sup>16</sup> Sections 402.302(8), F.S.

- Up to 10 children, provided that no more than five are preschool age and, of those five preschool children, no more than two are under 12 months of age.

These limits apply to the total number of children present, including the operator's own children under 13 years of age who are on the premises during operating hours.<sup>17</sup> Unlike large family child care homes, family day care homes do not require two full-time child care personnel to always be present.

A "large family child care home" is a residential child care setting that serves more children than a standard family day care home and is subject to enhanced licensure requirements.<sup>18</sup> To qualify as a large family child care home, the residence must have at least two full-time child care personnel present during operating hours, one of whom must be the owner or occupant of the residence.<sup>19</sup> The operator must first have operated as a *licensed* family day care home for two years, with an operator who holds a child development associate credential or its equivalent for one year.<sup>20</sup> Including the operator's own children under 13 years of age who are on the premises during operating hours, large family child care homes may care for up to eight children from birth to 24 months of age or up to 12 children total, provided no more than four children are under 24 months of age.<sup>21</sup>

Family day care homes and large family child care homes must provide parents with educational materials regarding influenza immunization and the risks associated with leaving children unattended in vehicles.<sup>22</sup>

### **Insurance Coverage for Child Care Operations**

While the Legislature has recognized the importance of family child care homes in meeting child care needs, it has also acknowledged that child care operations increase liability exposure for insurers.<sup>23</sup> As a result, Florida law provides that coverage for liability arising from child care operations are generally excluded from residential property insurance policies unless such coverage is specifically included by endorsement.<sup>24</sup> Insurers are prohibited from denying, canceling, or refusing to renew a policy solely because a policyholder operates a family child day care home, subject to statutory exceptions.<sup>25</sup> The insurance protections for family day care homes do not extend to large family day care homes.

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<sup>17</sup> Sections 402.302(8), F.S.

<sup>18</sup> Sections 402.302(11) and 402.3131, F.S.

<sup>19</sup> Section 402.302(11), F.S.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> Section 402.3131(9)-(10), F.S.

<sup>23</sup> Section 627.70161(1), F.S.

<sup>24</sup> Section 627.70161(3), F.S.

<sup>25</sup> Section 627.70161(4), F.S.

## **Early Learning Programs and Workforce Support**

### ***Direct-Support Organizations***

A direct-support organization (DSO) is a non-profit corporation that supports a public entity, such as a university, school district, or state agency, by raising and managing funds, managing property, and conducting programs consistent with the public entity's mission. The Florida Education Foundation, Inc., is a DSO of the Department of Education organized exclusively to receive, hold, invest, and administer property and make expenditures to or for the benefit of public pre-kindergarten through grade 12 education in Florida.<sup>26</sup>

### ***Early Learning Programs***

Florida also operates early learning and child care assistance programs, such as the School Readiness Program<sup>27</sup> and the Voluntary Prekindergarten (VPK) Education Program.<sup>28</sup> Florida's VPK Program is a free, state-funded educational program designed to prepare four-year-olds for kindergarten and beyond. Each child who resides in Florida who will have attained the age of four years old on or before September 1 of the school year is eligible for the VPK Program during either that school year or the following school year.<sup>29</sup> Parents can choose to enroll their child in VPK Programs provided by private child care centers or public schools and school-year or summer programs.<sup>30</sup> Florida's School Readiness Program provides subsidies for child care services and early childhood education for children from low-income families; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.<sup>31</sup>

### ***Teacher Education and Compensation Helps Scholarship Program***

The Teacher Education and Compensation Helps (TEACH) Scholarship Program provides educational scholarships to early learning personnel to improve workforce qualifications and retention.<sup>32</sup> The scholarship is available to Florida-resident teachers, directors, and family child care educators who meet specified education, employment, work-hour, and employer sponsorship requirements in licensed or exempt early learning or after-school settings.<sup>33</sup>

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<sup>26</sup> Section 1001.24(1)(a)2., F.S.; and Florida Education Foundation, Inc., *Financial Statements June 30, 2024 and 2023*, at pg. 10, [https://flauditor.gov/pages/nonprofit\\_forprofit%20rpts/2024%20florida%20education%20foundation.pdf](https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2024%20florida%20education%20foundation.pdf) (last visited February 19, 2026).

<sup>27</sup> Sections 1002.81-1002.995, F.S.

<sup>28</sup> Sections 1002.51-1002.79, F.S.

<sup>29</sup> Section 1002.53(2), F.S.; see also Florida Department of Education, *What is Florida's Voluntary Prekindergarten Education Program (VPK)?*, <https://www.fldoe.org/schools/early-learning/parents/vpk-parents.stml> (last visited February 19, 2026).

<sup>30</sup> *Id.*

<sup>31</sup> Sections 1002.81 and 1002.87, F.S.

<sup>32</sup> Section 1002.95, F.S.

<sup>33</sup> Florida Head Start Organization, *T.E.A.C.H. Early Childhood Scholarship Program, Scholarship Models*, <https://www.flheadstart.org/assets/docs/TEACH/TEACH%20model%20brochure%20-final%2011-27.pdf>, (last visited February 19, 2026).

The program covers tuition and books, provides stipends and completion bonuses, offers counseling and administrative support, and reimburses employers for paid release time provided to participating scholars.<sup>34</sup>

### ***Early Learning Professional Learning Standards and Career Pathways***

In 2019, the Legislature directed the Department of Education to develop statewide early learning training standards and identify career pathways with stackable, competency-based credentials for school readiness and early learning professionals.<sup>35</sup> These credentials should align with established professional standards, improve instructional practice, and support better child outcomes, including kindergarten readiness. The Department of Education is also authorized to provide incentives to qualified early learning and prekindergarten personnel who hold specified reading or literacy credentials, with alignment to K–12 training standards adopted by the State Board of Education.

### **III. Effect of Proposed Changes:**

**Section 1** amends s. 402.306, F.S., to include in Department of Children and Families (DCF) and local licensing agency reporting all child care facilities, rather than only those that are licensed, regarding licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and annual data on child deaths, serious injuries, and substantiated abuse that have occurred in child care settings. The provision includes reporting those child care facilities that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees.

**Section 2** amends s. 402.313, F.S., to delete statutory provisions requiring family day care homes to provide parents with informational materials every August and September regarding influenza immunization and every April and September regarding the risks of leaving children unattended in vehicles.

**Section 3** amends s. 402.3131, F.S., to delete statutory provisions requiring large family child care homes to provide parents with informational materials every August and September regarding influenza immunization and the risks of leaving children unattended in vehicles.

**Section 4** amends s. 402.316, F.S., to require certain exempt child care facilities, specifically those that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees, to include the statement “(child care facility name) is a child care facility operating under an exemption pursuant to the laws of the State of Florida and is not subject to licensure or regulation by the Department of Children and Families” on their websites and their promotional materials, documents, and forms provided to families they serve.

**Section 5** amends s. 627.70161, F.S., to define “large family child care home” to mean an occupied residence in which child care is regularly provided for children from at least

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<sup>34</sup> Florida Head Start Organization, *T.E.A.C.H. Early Childhood Scholarship Program, Scholarship Models*, <https://www.flheadstart.org/assets/docs/TEACH/TEACH%20model%20brochure%20-final%2011-27.pdf>, (last visited February 19, 2026).

<sup>35</sup> Section 1002.995, F.S.

two unrelated families for payment and has at least two full-time child care personnel, one of which must be the owner or occupant of the residence. The definition requires that a large family child care home to have first operated as a licensed family child care home for at least two years, by a credentialed operator holding that credential for at least one year. The definition requires any children under 13 years of age on the premises or on a field trip with children enrolled in child care to be included in the overall capacity of the licensed home and limits the number of children under 13 years of age a large family child care home may provide care to:

- Eight children from birth to 24 months of age.
- Twelve children maximum, with no more than four children under 24 months of age.

The bill adds large family child care homes to the current statutory prohibition on residential property insurance policies from providing liability coverage for claims arising from the operation of these child care homes unless such coverage is specifically covered in a policy or expressly included by rider or endorsement for business coverage attached to a policy. The section also adds large family child care homes to the section of law that provides that insurers are not obligated to defend such claims absent coverage and prohibits insurers from denying, canceling, or refusing to renew residential property insurance policies solely because the insured operates a family or large family child care home, subject to enumerated exceptions.

**Section 6** amends s. 1001.24, F.S., to add “state’s early learning programs for children from birth to five years of age” to the definition of the Department of Education (DOE) direct-support organization (DSO). This will authorize the Florida Education Foundation, Inc., to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the state's early learning programs for children birth to five, in addition to what it already provides for public prekindergarten through grade 12.

**Section 7** creates s. 1002.821, F.S., to establish the Florida Endowment for Early Learning within the DOE’s DSO to serve as a long-term, stable and growing funding source for early learning initiatives. It defines key entities and accounts, including the endowment fund, an operating account, the governing board, and the foundation, and states legislative findings and intent to expand access to high-quality early learning through public and private financial support.

The section authorizes the DSO board to receive and manage state appropriations, private donations, grants, and gifts; requires separate accounting for state and nonstate funds; and establishes an operating account to carry out programmatic purposes. It further authorizes distributions for direct services to children through early learning coalitions and for donor-designated early learning programs, requires competitive solicitation for certain expenditures, mandates annual reporting by the Division of Early Learning, and directs the State Board of Education to adopt implementing rules.

**Section 8** amends s. 1002.95, F.S., to provide that, subject to an appropriation, the administrator of the TEACH Scholarship Program must establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments. There is currently no such professional recognition entity for early childhood professionals designated or recognized in statute. However, the Department of Children and Families (DCF) maintains a registry where individuals employed in child care

are required to register for courses or continuing education units (CEUs) assessments, take courses or CEU assessments online and are able to view their individual training transcript.<sup>36</sup> It is unclear how the Center for Early Childhood Professional Recognition would interact or overlap with the existing systems.

**Sections 1 through 5, and 9 through 32** amend “family *day care* home” to “family *child care* home” to conform to the substantive changes in the bill throughout Florida Statutes. Such change in name will require modifications to administrative rules, forms, contracts, and websites.

The bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a negative impact on state revenues and expenditures.

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<sup>36</sup> Florida Department of Children and Families, *Training and Credentialing*, <https://www.myflfamilies.com/childcaretraining> (last visited February 19, 2026).

The Department of Education will likely require an additional full-time equivalent (FTE) position for the Florida Education Foundation's expanded responsibilities relating to early learning. The estimated total cost for the position is likely \$114,739 in the following:

- Salary and benefits: \$87,601;
- Expenses: \$7,392/Recurring, \$6,437/Non-recurring;
- Human Resources: \$356/Recurring; and
- Education Technology: \$12,953.<sup>37</sup>

The bill also provides that, subject to an appropriation, the administrator of the TEACH Scholarship Program must establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

None.

#### **VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 402.306, 402.313, 402.3131, 402.316, 627.70161, 1001.24, 1002.95, 39.202, 125.0109, 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310, 402.3115, 402.312, 402.315, 402.316, 402.318, 402.319, 409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92, 1002.93, and 1002.945.

This bill creates section 1002.821 of the Florida Statutes.

#### **IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

##### **CS/CS by Education Pre-K – 12 on February 10, 2026:**

The CS revises rulemaking specified in the bill to reflect that the State Board of Education has the authority to adopt rules rather than the Department of Education.

##### **CS by Children, Families, and Elder Affairs on February 3, 2026:**

The CS removes:

- The revisions to certain child care licensure standards;

<sup>37</sup> Email from Sarah Moosbrugger, Deputy Director of Legislative Affairs. Department of Education, *RE: Senate Request: SB 1690 Early Childhood Education - Fiscal Impact* (Feb. 5, 2026) (on file with the Committee on Children, Families, and Elder Affairs).

- The contemplated exemptions relating to certain before-and after-school programs administered by public schools and nonpublic schools; and
- The directive for certain state agencies to examine the creation of a child care and early learning voucher program for children from families employed in high-demand occupations.

The CS maintains:

- The deletion of the requirement for child care homes to provide parents with information related to flu shots and leaving children in a vehicle unattended;
- The prohibition on the cancelation, denial, or nonrenewal of residential property insurance solely on the basis that certain child care services are provided at the residence;
- The authorization for the Florida Education Foundation, Inc., to raise and manage funds and property, and to conduct programs for the benefit of early learning programs and certain child care providers; and
- The expansion of the role of the TEACH Scholarship Program administrator to establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments for early learning professionals.

The CS adds the following:

- Requires the Department of Children and Families (DCF) and local licensing agencies to make publicly available certain information for all child care facilities, including those child care facilities that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees and also requires certain exempt from licensure child care facilities to include specific notice to consumers that they operate under an exemption from licensure or regulation by the DCF;
- Creates the Florida Endowment for Early Learning within the Department of Education's (DOE's) direct-support organization to serve as a long-term, stable funding source for early learning initiatives. The language; defines key entities and accounts; authorizes the board to receive and manage state appropriations, private donations, grants, and gifts, requires separate accounting for state and nonstate funds, and establishes an operating account to carry out programmatic purposes; authorizes distributions for direct services to children through early learning coalitions and for donor-designated early learning programs; requires annual reporting by the Division of Early Learning; and directs the DOE to adopt implementing rules; and
- Makes conforming changes throughout statute.

**B. Amendments:**

None.