

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 765 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Committee/Subcommittee hearing bill: Human Services  
Subcommittee

Representative McFarland offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

**Section 1. Subsections (15) through (18) of section  
402.302, Florida Statutes, are renumbered as subsections (16)  
through (19), respectively, paragraph (a) of subsection (2) and  
subsections (3), (8), (9), and (11) are amended, and a new  
subsection (15) is added to the section, 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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17 wherever operated, and whether or not operated for profit. The  
18 following are not included:

19 (a) Public schools and nonpublic schools and their  
20 administered ~~integral~~ programs, except as provided in s.  
21 402.3025.~~+~~

22 (b) Summer camps having children in full-time residence.~~+~~

23 (c) Summer day camps.~~+~~

24 (d) Bible schools normally conducted during vacation  
25 periods.~~+~~ ~~and~~

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

31 (f) Before- and after-school programs, and any programs  
32 during off-school hours, offered and operated by public  
33 elementary schools at school sites for the schools' student  
34 populations.

35 (3) "Child care personnel" means all owners, operators,  
36 employees, and volunteers working in a child care facility. The  
37 term does not include persons who work in a child care facility  
38 after hours when children are not present or parents of children  
39 in a child care facility. For purposes of screening, the term  
40 includes any member, over the age of 12 years, of a child care  
41 facility operator's family, or person, over the age of 12 years,

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

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intermittent basis and a person who meets the screening requirement of s. 402.305(2) is always present and has the student in his or her line of sight.

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

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

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

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

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

(9) "Household children" means children who are related by blood, marriage, or legal adoption to, or who are the legal

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wards of, the family child ~~day~~ care home operator, the large family child care home operator, or an adult household member who permanently or temporarily resides in the home. Supervision of the operator's household children shall be left to the discretion of the operator unless those children receive subsidized child care through the school readiness program pursuant to s. 1002.92 to be in the home.

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

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groups of children, which shall include household children under 13 years of age:

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

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

(15) "School-age children" means children who are:

(a) In kindergarten through grade 12;

(b) Three-year olds in a public school exceptional student education program; or

(c) Four-year olds in a public school child care program.

**Section 2. Paragraph (a) of subsection (7) of section 402.305, Florida Statutes, is amended to read:**

402.305 Licensing standards; child care facilities.—

(7) SANITATION AND SAFETY.—

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

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

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

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

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

149 1. The name and address of the home.

150 2. The name of the operator.

151 3. The number of children served.

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

156 5. Proof of screening and background checks.

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

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

162 b. Health, safety, and nutrition.

163 c. Identifying and reporting child abuse and neglect.

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

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

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

7. Proof that immunization records are kept current.

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

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

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

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

(3) Child care personnel in family child ~~day~~ care homes shall be subject to the applicable screening provisions contained in ss. 402.305(2) and 402.3055. For purposes of



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189 screening in family child ~~day~~ care homes, the term includes any  
190 member over the age of 12 years of a family child ~~day~~ care home  
191 operator's family, or persons over the age of 12 years residing  
192 with the operator in the family child ~~day~~ care home. Members of  
193 the operator's family, or persons residing with the operator,  
194 who are between the ages of 12 years and 18 years shall not be  
195 required to be fingerprinted, but shall be screened for  
196 delinquency records.

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

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

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

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

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

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

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

(b) A listing of those counties that require licensure of family child ~~day~~ care homes. Such counties shall provide an

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addendum to the brochure that provides a brief description of the licensure requirements or may provide a brochure in lieu of the one described in this subsection, provided it contains all the required information on licensure and the required information in the subsequent paragraphs.

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

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

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

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

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

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

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

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

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

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

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

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

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

310 ~~(15) During the months of April and September of each~~  
311 ~~year, at a minimum, each family day care home shall provide~~

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~~parents of children attending the family day care home information regarding the potential for a distracted adult to fail to drop off a child at the family day care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The family day care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which family day care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

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

402.3131 Large family child care homes.—

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

~~(10) During the months of April and September of each year, at a minimum, each large family child care home shall provide parents of children attending the large family child~~

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~~care home information regarding the potential for a distracted adult to fail to drop off a child at the large family child care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The large family child care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which large family child care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.~~

**Section 5. Section 627.70161, Florida Statutes, is amended to read:**

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

(1) PURPOSE AND INTENT.—The Legislature recognizes that family child day care and large family child care homes fulfill a vital role in providing child care in Florida. It is the intent of the Legislature that residential property insurance coverage should not be canceled, denied, or nonrenewed solely on the basis of the child ~~family day~~ care services at the residence. The Legislature also recognizes that the potential liability of residential property insurers is substantially increased by the rendition of child care services on the premises. The Legislature therefore finds that there is a public need to specify that contractual liabilities that arise in

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connection with the operation of the family child day care home or the large family child care home are excluded from residential property insurance policies unless they are specifically included in such coverage.

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

(a) "Child care" means 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.

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

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



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care home for at least 2 years, with an operator who has held a child development associate credential or its equivalent for at least 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, must be included in the overall capacity of the licensed home. A large family child care home may provide care for one of the following groups of children, which must include household children under 13 years of age:

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

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

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

(a) Specifically covered in a policy; or

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

(4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An insurer may not deny, cancel, or refuse to renew a policy for

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residential property insurance solely on the basis that the policyholder or applicant operates a family child day care home or a large family child care home. In addition to other lawful reasons for refusing to insure, an insurer may deny, cancel, or refuse to renew a policy of a family child day care home or a large family child care home provider if one or more of the following conditions occur:

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

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

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

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

**Section 6. Section 1001.24, Florida Statutes, is reenacted and amended to read:**

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

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

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

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

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

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

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

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

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

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

468 (c) Shall not permit the use of property, facilities, or  
469 personal services of the direct-support organization if such  
470 organization does not provide equal employment opportunities to  
471 all persons, regardless of race, color, national origin, gender,  
472 age, or religion.

473 (3) BOARD OF DIRECTORS.—The board of directors of the  
474 department direct-support organization shall be appointed by the  
475 commissioner and shall include representation from business,  
476 industry, and other components of Florida's economy.

477 (4) ANNUAL AUDIT.—Each direct-support organization shall  
478 provide for an annual financial audit in accordance with s.  
479 215.981. The identity of donors who desire to remain anonymous  
480 shall be protected, and that anonymity shall be maintained in  
481 the auditor's report. All records of the organization other than  
482 the auditor's report, management letter, and any supplemental  
483 data requested by the Auditor General and the Office of Program

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Policy Analysis and Government Accountability shall be confidential and exempt from the provisions of s. 119.07(1).

**Section 7. Section 1002.821, Florida Statutes, is created to read:**

1002.821 Early learning foundation within a Department of Education direct-support organization.—

(1) SHORT TITLE.—This section may be cited as the "Florida Endowment for Early Learning Act."

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

(a) "Board" means the board of directors of the Florida Endowment for Early Learning Foundation established in subsection (4). The board is appointed by the Commissioner of Education pursuant to s. 1001.24(3).

(b) "Endowment fund" means a fund established for the Florida Endowment for Early Learning Foundation to provide early learning education opportunities to children.

(c) "Foundation" means the Florida Endowment for Early Learning Foundation established in subsection (4).

(d) "Operating account" means an account established under paragraph (4)(c) to carry out the purposes provided in subsection (6).

(3) FLORIDA ENDOWMENT FOR EARLY LEARNING FOUNDATION; REVENUE FOR THE ENDOWMENT FUND.—

(a) The Florida Endowment for Early Learning Foundation shall be established within a Department of Education direct-

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509 support organization, as defined in s. 1001.24, to solicit long-  
510 term, stable revenues to be administered in accordance with  
511 rules adopted by the department.

512 (b) The principal of the endowment fund of the foundation  
513 shall derive from any legislative appropriations that may be  
514 made to the endowment fund, and bequests, gifts, grants, and  
515 donations as may be solicited for such purpose by the foundation  
516 from public or private sources.

517 (c) The board of directors of the foundation shall  
518 establish an operating account and shall deposit into the  
519 account the moneys received under paragraph (b). Moneys in the  
520 operating account shall be available to carry out the purposes  
521 of subsection (6).

522 (d) Funds received from state sources shall be accounted  
523 for separately from bequests, gifts, grants, and donations that  
524 may be solicited for such purposes by the foundation from public  
525 or private sources. Earnings on funds received from state  
526 sources and funds received from public or private sources shall  
527 be accounted for separately.

528 (4) ORGANIZATION, POWERS, AND DUTIES.—Within the limits  
529 prescribed in this section or by rule of the department:

530 (a) The board may solicit and receive bequests, gifts,  
531 grants, donations, goods, and services. Gifts may be used only  
532 for the purposes stated by the donor. The board may transmit

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533 monetary gifts to the State Board of Administration for deposit  
534 into the endowment fund.

535 (b) The board may enter into contracts with the Federal  
536 Government, state or local agencies, early learning coalitions,  
537 private entities, or individuals to carry out the purposes of  
538 this section.

539 (c) The board may identify, initiate, and fund new and  
540 creative programs to carry out the purposes of this section,  
541 using existing organizations, early learning coalitions,  
542 associations, and agencies to implement such early learning  
543 programs and purposes wherever possible.

544 (d) The board may make gifts or grants:

545 1. To the State of Florida or any political subdivision  
546 thereof, or any public agency of state or local government.

547 2. To an early learning coalition for administration of  
548 direct services to children identified by the board.

549 3. To the Division of Early Learning for purposes of  
550 program recognition, marketing, public relations, and education.

551 (e) The board may advertise and solicit applications for  
552 funding and shall evaluate applications and program proposals  
553 submitted thereto. Funding shall be awarded only if the  
554 evaluation of the proposed program is positive and the proposal  
555 meets both the guidelines for use established in subsection (6)  
556 and such evaluation criteria as the department may prescribe by  
557 rule.

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558 (f) The board shall monitor, review, and annually evaluate  
559 funded programs to determine whether funding should be  
560 continued, terminated, reduced, or increased.

561 (g) The board may take such additional actions, including  
562 the hiring of necessary staff, as are deemed necessary and  
563 appropriate to administer this section, subject to rules of the  
564 department.

565 (5) DISTRIBUTION OF MONEYS.—The board shall use the moneys  
566 in the operating account, by whatever means, to provide for:

567 (a) Direct services to children aged birth through  
568 kindergarten in accordance with an allocation methodology to an  
569 early learning coalition approved by the board.

570 1. The early learning coalition shall reimburse a provider  
571 who serves a child, using money awarded from the endowment fund  
572 at a reimbursement rate determined by the board.

573 (b) Programs designed to support early learning as  
574 identified by donors, gifts, or grants.

575 (c) Any allocation of funds for programs under paragraph  
576 (b), for advertising, or for consulting is subject to a  
577 competitive solicitation process.

578 (d) State funds should be spent in majority for childcare  
579 tuition, and may not be used to:

580 1. Fund events for private sector donors or potential  
581 donors or to honor supporters.

582 2. Hire lobbyists or attorneys.

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583 3. Pay for marketing or advertising with more than 8% of  
584 total funds on hand.

585 (7) ANNUAL REPORT.—By January 1 of each year, beginning  
586 January 1, 2027, the Division of Early Learning shall submit to  
587 the Legislature, and the department shall publish on its  
588 website, a report of activities pursuant to s. 1002.82(7) which  
589 summarizes the performance of the endowment fund and the  
590 foundation's fundraising activities for the previous fiscal year  
591 and which details those activities and programs supported by the  
592 endowment fund principal or earnings on the endowment fund  
593 principal and those activities and programs supported by private  
594 sources, bequests, gifts, grants, donations, and other valued  
595 goods and services received. The report must also include:

596 (a) Financial data, by service type, including  
597 expenditures for administration and the provision of services by  
598 each early learning coalition.

599 (b) The amount of funds spent on administrative expenses  
600 and fundraising and the amount of funds raised from private  
601 sources.

602 (c) Outcome data, including the number of children served  
603 and any child outcomes.

604 (8) RULES.—The department shall adopt rules for the  
605 implementation of this section.

606 **Section 8. Section 1002.95, Florida Statutes, is amended**  
607 **to read:**

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

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

(b) Subject to appropriation, the Teacher Education and Compensation Helps (TEACH) Scholarships Program administrator contracted under paragraph (a) shall also establish and administer the Center for Early Childhood Professional Recognition to ensure alignment of training statewide, including, but not limited to, methods of early childhood professional training approval, methods of early childhood professional trainer approval, and implementation of competency-based assessments aligned to the early learning professional development standards and career pathways under s. 1002.995.

(2) The State Board of Education shall adopt rules as necessary to administer this section.

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**Section 9. Paragraph (a) of subsection (4) of section 39.101, Florida Statutes, is amended to read:**

39.101 Central abuse hotline.—The central abuse hotline is the first step in the safety assessment and investigation process.

(4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE HOTLINE.—

(a) Information received by the central abuse hotline may not be used for employment screening, except as provided in s. 39.202(2)(a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

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

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

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

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

1. Child or adult protective investigations;

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

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

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

125.0109 Family child ~~day~~ care homes; local zoning regulation.—The operation of a residence as a family child ~~day~~ care home, as defined by law, registered or licensed with the Department of Children and Families shall constitute a valid residential use for purposes of any local zoning regulations,

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and no such regulation shall require the owner or operator of such family child ~~day~~ care home to obtain any special exemption or use permit or waiver, or to pay any special fee in excess of \$50, to operate in an area zoned for residential use.

**Section 12. Section 166.0445, Florida Statutes, is amended to read:**

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

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

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

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is

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otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(j) Household fuels.—Also exempt from payment of the tax imposed by this chapter are sales of utilities to residential households or owners of residential models in this state by utility companies who pay the gross receipts tax imposed under s. 203.01, and sales of fuel to residential households or owners of residential models, including oil, kerosene, liquefied petroleum gas, coal, wood, and other fuel products used in the household or residential model for the purposes of heating, cooking, lighting, and refrigeration, regardless of whether such

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sales of utilities and fuels are separately metered and billed direct to the residents or are metered and billed to the landlord. If any part of the utility or fuel is used for a nonexempt purpose, the entire sale is taxable. The landlord shall provide a separate meter for nonexempt utility or fuel consumption. For the purposes of this paragraph, licensed family child day care homes shall also be exempt.

**Section 14. Paragraph (a) of subsection (2) of section 402.305, Florida Statutes, is amended to read:**

402.305 Licensing standards; child care facilities.—

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

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

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

The department may grant limited exemptions to the minimum standards provided in this subsection which authorize a person to work in a specified role or with a specified population.

**Section 15. Subsections (1) and (2) and paragraph (a) of subsection (3) of section 402.309, Florida Statutes, are amended to read:**

402.309 Provisional license or registration.—

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

(2) A provisional license or registration may not be issued unless the operator or owner makes adequate provisions

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for the health and safety of the child. A provisional license may be issued for a child care facility if all of the screening materials have been timely submitted. A provisional license or registration may not be issued unless the child care facility, family child ~~day~~ care home, or large family child care home is in compliance with the requirements for screening of child care personnel in ss. 402.305, 402.3055, 402.313, and 402.3131, respectively.

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

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

**Section 16. Paragraph (d) of subsection (1) and subsection (4) of section 402.310, Florida Statutes, are amended to read:**

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

(1)

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

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

**Section 17. Section 402.312, Florida Statutes, is amended to read:**

402.312 License required; injunctive relief.—

(1) The operation of a child care facility without a license, a family child ~~day~~ care home without a license or registration, or a large family child care home without a license is prohibited. If the department or the local licensing agency discovers that a child care facility is being operated without a license, a family child ~~day~~ care home is being operated without a license or registration, or a large family child care home is being operated without a license, the department or local licensing agency is authorized to seek an injunction in the circuit court where the facility is located to enjoin continued operation of such facility, family child ~~day~~ care home, or large family child care home. When the court is closed for the transaction of judicial business, the department or local licensing agency is authorized to seek an emergency injunction to enjoin continued operation of such unlicensed

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832 facility, unregistered or unlicensed family child ~~day~~ care home,  
833 or unlicensed large family child care home, which injunction  
834 shall be continued, modified, or revoked on the next day of  
835 judicial business.

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

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

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

845 (c) A child care facility, family child ~~day~~ care home, or  
846 large family child care home continues to have children in  
847 attendance after the closing date established by the department  
848 or the local licensing agency.

849 (3) The department or local licensing agency may impose an  
850 administrative fine on any child care facility, family child ~~day~~  
851 care home, or large family child care home operating without a  
852 license or registration, consistent with ~~the provisions of s.~~  
853 402.310.

854 **Section 18. Paragraphs (a), (b), and (c) of subsection (3)**  
855 **of section 402.315, Florida Statutes, are amended to read:**

856 402.315 Funding; license fees.—

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

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

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

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

**Section 19. Section 402.318, Florida Statutes, is amended to read:**

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

**Section 20. Section 402.319, Florida Statutes, is amended to read:**

402.319 Penalties.—

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

884 (a) Fail, by false statement, misrepresentation,  
885 impersonation, or other fraudulent means, to disclose in any  
886 application for voluntary or paid employment or licensure  
887 regulated under ss. 402.301-402.318 all information required  
888 under those sections or a material fact used in making a  
889 determination as to such person's qualifications to be child  
890 care personnel, as defined in s. 402.302, in a child care  
891 facility, family child ~~day~~ care home, or other child care  
892 program.

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

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

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

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

904 (f) Make any other misrepresentation, by act or omission,  
905 regarding the licensure or operation of a child care facility or

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family child ~~day~~ care home to a parent or guardian who has a child placed in the facility or is inquiring as to placing a child in the facility, or to a representative of the licensing authority, or to a representative of a law enforcement agency, including, but not limited to, any misrepresentation as to:

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

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

3. The qualifications or credentials of child care personnel;

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

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

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

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second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

**Section 21. Paragraph (c) of subsection (2) of section 409.988, Florida Statutes, is amended to read:**

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

(2) LICENSURE.—

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

**Section 22. Paragraph (b) of subsection (8) of section 411.203, Florida Statutes, is amended to read:**

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

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955 approach for services for high-risk pregnant women and for high-  
956 risk and handicapped children and their families, and may be  
957 expanded or reduced as necessary for the enhancement of those  
958 services. Expansion or reduction of the continuum shall be  
959 determined by intraagency or interagency findings and agreement,  
960 whichever is applicable. Implementation of the continuum shall  
961 be based upon applicable eligibility criteria, availability of  
962 resources, and interagency prioritization when programs impact  
963 both agencies, or upon single agency prioritization when  
964 programs impact only one agency. The continuum shall include,  
965 but not be limited to:

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

968 (b) Child care and early childhood programs, including,  
969 but not limited to, licensed child care facilities, family child  
970 ~~day~~ care homes, therapeutic child care, Head Start, and  
971 preschool programs in public and private schools.

972 **Section 23. Paragraph (u) of subsection (2) of section**  
973 **1002.82, Florida Statutes, is amended to read:**

974 1002.82 Department of Education; powers and duties.—

975 (2) The department shall:

976 (u) Administer a statewide toll-free Warm-Line to provide  
977 assistance and consultation to child care facilities and family  
978 child ~~day~~ care homes regarding health, developmental,  
979 disability, and special needs issues of the children they are

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980 serving, particularly children with disabilities and other  
981 special needs. The department shall:

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

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

988 **Section 24. Paragraph (j) of subsection (4) of section**  
989 **1002.83, Florida Statutes, is amended to read:**

990 1002.83 Early learning coalitions.—

991 (4) Each early learning coalition must include the  
992 following member positions; however, in a multicounty coalition,  
993 each ex officio member position may be filled by multiple  
994 nonvoting members but no more than one voting member shall be  
995 seated per member position. If an early learning coalition has  
996 more than one member representing the same entity, only one of  
997 such members may serve as a voting member:

998 (j) A representative of private for-profit child care  
999 providers, including private for-profit family child ~~day~~ care  
1000 homes.

1001 **Section 25. Subsection (4) of section 1002.84, Florida**  
1002 **Statutes, is amended to read:**

1003 1002.84 Early learning coalitions; school readiness powers  
1004 and duties.—Each early learning coalition shall:

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

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

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

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

(a) Be a child care facility licensed under s. 402.305, a family child ~~day~~ care home licensed or registered under s. 402.313, a large family child care home licensed under s. 402.3131, a public school or nonpublic school exempt from licensure under s. 402.3025, a faith-based child care provider exempt from licensure under s. 402.316, a before-school or after-school program described in s. 402.305(1)(c), a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, an informal child care provider to the extent authorized in the state's Child Care

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and Development Fund Plan as approved by the United States Department of Health and Human Services pursuant to 45 C.F.R. s. 98.18, or a provider who has been issued a provisional license pursuant to s. 402.309. A provider may not deliver the program while holding a probation-status license under s. 402.310.

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

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

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

3. For a child development program that is accredited by a national accrediting body and operates on a military installation that is certified by the United States Department of Defense, the submission and verification of annual

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inspections pursuant to United States Department of Defense  
Instructions 6060.2 and 1402.05 satisfies this requirement.

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

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

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

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

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

1002.92 Child care and early childhood resource and  
referral.—

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

(a) Identification of existing public and private child  
care and early childhood education services, including child  
care services by public and private employers, and the  
development of an early learning provider performance profile of  
those services through the single statewide information system  
developed by the department under s. 1002.82(2)(q). These  
services may include family child ~~day~~ care, public and private  
child care programs, the Voluntary Prekindergarten Education  
Program, Head Start, the school readiness program, special

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education programs for prekindergarten children with disabilities, services for children with developmental disabilities, full-time and part-time programs, before-school and after-school programs, and vacation care programs. The early learning provider performance profile shall include, but not be limited to:

1. Type of program.
2. Hours of service.
3. Ages of children served.
4. Number of children served.
5. Program information.
6. Fees and eligibility for services.
7. Availability of transportation.
8. Participation in the Child Care Food Program, if applicable.
9. A link to licensing inspection reports, if applicable.
10. The components of the Voluntary Prekindergarten Education Program performance metric calculated under s. 1002.68 which must consist of the program assessment composite score, learning gains score, achievement score, and its designations, if applicable.
11. The school readiness program assessment composite score and program assessment care level composite score results delineated by infant classrooms, toddler classrooms, and preschool classrooms results under s. 1002.82, if applicable.

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1105 12. Gold Seal Quality Care designation under s. 1002.945,  
1106 if applicable.

1107 13. Indication of whether the provider implements a  
1108 curriculum approved by the department and the name of the  
1109 curriculum, if applicable.

1110 14. Participation in school readiness child assessment  
1111 under s. 1002.82.

1112 (4) A child care facility licensed under s. 402.305 and  
1113 licensed and registered family child ~~day~~ care homes must provide  
1114 the statewide child care and resource and referral network with  
1115 the following information annually:

1116 (a) Type of program.

1117 (b) Hours of service.

1118 (c) Ages of children served.

1119 (d) Fees and eligibility for services.

1120 **Section 29. Subsection (2) of section 1002.93, Florida**  
1121 **Statutes, is amended to read:**

1122 1002.93 School readiness program transportation services.—

1123 (2) The transportation servicers may only provide  
1124 transportation to each child participating in the school  
1125 readiness program to the extent that such transportation is  
1126 necessary to provide child care opportunities that otherwise  
1127 would not be available to a child whose home is more than a  
1128 reasonable walking distance from the nearest child care facility  
1129 or family child ~~day~~ care home.

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1130       **Section 30. Paragraph (b) of subsection (1), paragraphs**  
1131       **(a) and (c) of subsection (3), and subsection (4) of section**  
1132       **1002.945, Florida Statutes, are amended to read:**

1133       1002.945 Gold Seal Quality Care Program.—

1134       (1)

1135       (b) A child care facility, large family child care home,  
1136       or family child ~~day~~ care home that is accredited by an  
1137       accrediting association approved by the Department of Education  
1138       under subsection (3) and meets all other requirements shall,  
1139       upon application to the department, receive a separate "Gold  
1140       Seal Quality Care" designation.

1141       (3)(a) In order to be approved by the Department of  
1142       Education for participation in the Gold Seal Quality Care  
1143       Program, an accrediting association must apply to the department  
1144       and demonstrate that it:

1145       1. Is a recognized accrediting association.

1146       2. Has accrediting standards that substantially meet or  
1147       exceed the Gold Seal Quality Care standards adopted by the state  
1148       board under subsection (2).

1149       3. Is a registered corporation with the Department of  
1150       State.

1151       4. Can provide evidence that the process for accreditation  
1152       has, at a minimum, all of the following components:

1153       a. Clearly defined prerequisites that a child care  
1154       provider must meet before beginning the accreditation process.

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1155 However, accreditation may not be granted to a child care  
1156 facility, large family child care home, or family child ~~day~~ care  
1157 home before the site is operational and is attended by children.

1158 b. Procedures for completion of a self-study and  
1159 comprehensive onsite verification process for each classroom  
1160 that documents compliance with accrediting standards.

1161 c. A training process for accreditation verifiers to  
1162 ensure inter-rater reliability.

1163 d. Ongoing compliance procedures that include requiring  
1164 each accredited child care facility, large family child care  
1165 home, and family child ~~day~~ care home to file an annual report  
1166 with the accrediting association and risk-based, onsite auditing  
1167 protocols for accredited child care facilities, large family  
1168 child care homes, and family child ~~day~~ care homes.

1169 e. Procedures for the revocation of accreditation due to  
1170 failure to maintain accrediting standards as evidenced by sub-  
1171 subparagraph d. or any other relevant information received by  
1172 the accrediting association.

1173 f. Accreditation renewal procedures that include an onsite  
1174 verification occurring at least every 5 years.

1175 g. A process for verifying continued accreditation  
1176 compliance in the event of a transfer of ownership of  
1177 facilities.

1178 h. A process to communicate issues that arise during the  
1179 accreditation period with governmental entities that have a



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1180 vested interest in the Gold Seal Quality Care Program, including  
1181 the Department of Education, the Department of Children and  
1182 Families, the Department of Health, local licensing entities if  
1183 applicable, and the early learning coalition.

1184 (c) If an accrediting association has granted  
1185 accreditation to a child care facility, large family child care  
1186 home, or family child ~~day~~ care under fraudulent terms or failed  
1187 to conduct onsite verifications, the accrediting association  
1188 shall be liable for the repayment of any rate differentials paid  
1189 under subsection (6).

1190 (4) In order to obtain and maintain a designation as a  
1191 Gold Seal Quality Care provider, a child care facility, large  
1192 family child care home, or family child ~~day~~ care home must meet  
1193 the following additional criteria:

1194 (a) The child care provider must not have had any class I  
1195 violations, as defined by rule of the Department of Children and  
1196 Families, within the 2 years preceding its application for  
1197 designation as a Gold Seal Quality Care provider. Commission of  
1198 a class I violation shall be grounds for termination of the  
1199 designation as a Gold Seal Quality Care provider until the  
1200 provider has no class I violations for a period of 2 years.

1201 (b) The child care provider must not have had three or  
1202 more of the same class II violations, as defined by rule of the  
1203 Department of Children and Families, within the 2 years  
1204 preceding its application for designation as a Gold Seal Quality

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Care provider. Commission of three or more of the same class II violations within a 2-year period shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class II violations that are the same for a period of 1 year.

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

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

**Section 31.** This act shall take effect July 1, 2026.

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to child care and early learning services; amending s. 402.302, F.S.; revising the definitions of the terms "child care facility" and "child care personnel" and defining the term "school-age children"; amending s. 402.305, F.S.; revising the minimum standards for child care facility licensing; amending s. 402.313, F.S.; removing provisions requiring family child care homes to provide specified information to parents; amending s. 402.3131, F.S.; removing provisions that require large family child care homes to provide parents of enrolled children information relating to certain viruses and the risks of leaving children in vehicles; amending s. 627.70161, F.S.; changing the term "family day care" to "family child care"; providing legislative intent relating to large family child care homes; defining the term "large family child care home"; prohibiting residential property insurance policies from providing coverage for liability for claims arising out of, or in connection with, the operations of large family child care homes; providing that insurers are under no obligation to defend against lawsuits covering such claims; providing exceptions; prohibiting insurers

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from denying, cancelling, and refusing to renew a policy for residential property insurance on the basis that the policyholders or applicants operate large family child care homes; providing exceptions; reenacting and amending s. 1001.24, F.S.; revising the definition of the term "Department of Education direct-support organization"; creating s. 1002.821, F.S.; providing a short title; providing definitions; creating the Florida Endowment for Early Learning Foundation within a Department of Education direct-support organization; providing revenues for the endowment fund; providing that funds from state sources are accounted separately from public and private sources; providing powers and duties of the board of directors; providing for distribution of moneys from the endowment fund; requiring annual reports and publications; requiring the Department of Education to adopt rules; amending s. 1002.95, F.S.; providing for administration of the Center for Early Childhood Professional Recognition; amending ss. 39.101, 39.202, 125.0109, 166.0445, 212.08, 402.305, 402.309, 402.310, 402.312, 402.315, 402.318, 402.319, 409.988, 411.203, 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92, 1002.93, 1002.945, and 1002.95,

COMMITTEE/SUBCOMMITTEE AMENDMENT

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1279 F.S.; conforming cross-references and provisions to  
1280 changes made by the act; providing an effective date.  
1281