

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 765 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Human Services

2 Subcommittee

3 Representative McFarland offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Subsections (15) through (18) of section**

8 **402.302, Florida Statutes, are renumbered as subsections (16)**
9 through (19), respectively, paragraph (a) of subsection (2) and
10 subsections (3), (8), (9), and (11) are amended, and a new
11 subsection (15) is added to the section, to read:

12 402.302 Definitions.—As used in this chapter, the term:

13 (2) "Child care facility" includes any child care center

14 or child care arrangement which provides child care for more
15 than five children unrelated to the operator and which receives
16 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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67 intermittent basis and a person who meets the screening
68 requirement of s. 402.305(2) is always present and has the
69 student in his or her line of sight.

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

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

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

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

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

90 (9) "Household children" means children who are related by
91 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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116 groups of children, which shall include household children under
117 13 years of age:

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

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

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

123 (a) In kindergarten through grade 12;

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

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

127 **Section 2. Paragraph (a) of subsection (7) of section**
128 **402.305, Florida Statutes, is amended to read:**

129 402.305 Licensing standards; child care facilities.—

130 (7) SANITATION AND SAFETY.—

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

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

140 402.313 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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164 d. Child development, including typical and atypical
165 language development; and cognitive, motor, social, and self-
166 help skills development.

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

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

174 7. Proof that immunization records are kept current.

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

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

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

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

186 (3) Child care personnel in family child day care homes
187 shall be subject to the applicable screening provisions
188 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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214 (7) Operators of family child day care homes shall be
215 required annually to complete a health and safety home
216 inspection self-evaluation checklist developed by the department
217 in conjunction with the statewide resource and referral program.
218 The completed checklist shall be signed by the operator of the
219 family child day care home and provided to parents as
220 certification that basic health and safety standards are being
221 met.

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

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

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

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

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

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

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

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

259 (10) On an annual basis, the department shall evaluate the
260 registration and licensure system for family child day care
261 homes. Such evaluation shall, at a minimum, address the
262 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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312 parents of children attending the family day care home
313 information regarding the potential for a distracted adult to
314 fail to drop off a child at the family day care home and instead
315 leave the child in the adult's vehicle upon arrival at the
316 adult's destination. The family day care home shall also give
317 parents information about resources with suggestions to avoid
318 this occurrence. The department shall develop a flyer or
319 brochure with this information that shall be posted to the
320 department's website, which family day care homes may choose to
321 reproduce and provide to parents to satisfy the requirements of
322 this subsection.

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

325 402.3131 Large family child care homes.—

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

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

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

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

349 627.70161 Family child day care and large family child
350 care insurance.—

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

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

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

367 (a) "Child care" means the care, protection, and
368 supervision of a child, for a period of less than 24 hours a day
369 on a regular basis, which supplements parental care, enrichment,
370 and health supervision for the child, in accordance with his or
371 her individual needs, and for which a payment, fee, or grant is
372 made for care.

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

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

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

397 1. A maximum of 8 children from birth to 24 months of age.
398 2. A maximum of 12 children, with no more than 4 children
399 under 24 months of age.

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

407 (a) Specifically covered in a policy; or
408 (b) Covered by a rider or endorsement for business
409 coverage attached to a policy.

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

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

419 (a) The policyholder or applicant provides care for more
420 children than authorized ~~for family day care homes~~ by s.
421 402.302;

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

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

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

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

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437 1001.24 Direct-support organization; use of property;
438 board of directors; audit.—

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

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

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

446 2. That is organized and operated exclusively to receive,
447 hold, invest, and administer property and to make expenditures
448 to or for the benefit of the early learning programs under parts
449 V and VI of chapter 1002, child care facilities licensed under
450 s. 402.305, family child care homes licensed or registered under
451 s. 402.313, large family child care homes licensed under s.
452 402.3131, and public prekindergarten through 12th grade
453 education in this state.

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

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

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

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

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

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

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

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

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

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

488 1002.821 Early learning foundation within a Department of
489 Education direct-support organization.—

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

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

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

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

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

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

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

507 (a) The Florida Endowment for Early Learning Foundation
508 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 MONEY.—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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608 1002.95 Teacher Education and Compensation Helps (TEACH)
609 Scholarship Program.—

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

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

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

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632 **Section 9. Paragraph (a) of subsection (4) of section**
633 **39.101, Florida Statutes, is amended to read:**

634 39.101 Central abuse hotline.—The central abuse hotline is
635 the first step in the safety assessment and investigation
636 process.

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

639 (a) Information received by the central abuse hotline may
640 not be used for employment screening, except as provided in s.
641 39.202(2)(a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

642 **Section 10. Paragraph (a) of subsection (2) of section**
643 **39.202, Florida Statutes, is amended to read:**

644 39.202 Confidentiality of reports and records in cases of
645 child abuse or neglect; exception.—

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

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

656 1. Child or adult protective investigations;

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657 2. Ongoing child or adult protective services;
658 3. Early intervention and prevention services;
659 4. Healthy Start services;
660 5. Licensure or approval of adoptive homes, foster homes,
661 child care facilities, facilities licensed under chapters 393
662 and 394, family child day care homes, providers who receive
663 school readiness funding under part VI of chapter 1002, or other
664 homes used to provide for the care and welfare of children;
665 6. Employment screening for caregivers in residential
666 group homes and facilities licensed under chapters 393, 394, and
667 409; or
668 7. Services for victims of domestic violence when provided
669 by certified domestic violence centers working at the
670 department's request as case consultants or with shared clients.

671
672 Also, employees or agents of the Department of Juvenile Justice
673 responsible for the provision of services to children, pursuant
674 to chapters 984 and 985.

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

677 125.0109 Family child day care homes; local zoning
678 regulation.—The operation of a residence as a family child day
679 care home, as defined by law, registered or licensed with the
680 Department of Children and Families shall constitute a valid
681 residential use for purposes of any local zoning regulations,

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682 and no such regulation shall require the owner or operator of
683 such family child day care home to obtain any special exemption
684 or use permit or waiver, or to pay any special fee in excess of
685 \$50, to operate in an area zoned for residential use.

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

688 166.0445 Family child day care homes; local zoning
689 regulation.—The operation of a residence as a family child day
690 care home, as defined by law, registered or licensed with the
691 Department of Children and Families shall constitute a valid
692 residential use for purposes of any local zoning regulations,
693 and no such regulation shall require the owner or operator of
694 such family child day care home to obtain any special exemption
695 or use permit or waiver, or to pay any special fee in excess of
696 \$50, to operate in an area zoned for residential use.

697 **Section 13. Paragraph (j) of subsection (7) of section
698 212.08, Florida Statutes, is amended to read:**

699 212.08 Sales, rental, use, consumption, distribution, and
700 storage tax; specified exemptions.—The sale at retail, the
701 rental, the use, the consumption, the distribution, and the
702 storage to be used or consumed in this state of the following
703 are hereby specifically exempt from the tax imposed by this
704 chapter.

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

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

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

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

739 **Section 14. Paragraph (a) of subsection (2) of section
740 402.305, Florida Statutes, is amended to read:**

741 402.305 Licensing standards; child care facilities.—
742 (2) PERSONNEL.—Minimum standards for child care personnel
743 shall include minimum requirements as to:
744 (a) Good moral character based upon screening as defined
745 in s. 402.302 ~~s. 402.302(15)~~. This screening shall be conducted
746 as provided in chapter 435, using the level 2 standards for
747 screening provided in that chapter, and include employment
748 history checks, a search of criminal history records, sexual
749 predator and sexual offender registries, and child abuse and
750 neglect registry of any state in which the current or
751 prospective child care personnel resided during the preceding 5
752 years. The department shall complete the screening and provide
753 the results to the child care facility within 3 business days
754 from the receipt of the criminal history record check. If the
755 department is unable to complete the screening within 3 business
756 days, the department shall issue the current or prospective

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

764

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

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

771 402.309 Provisional license or registration.—

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

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

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

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

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

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

799 402.310 Disciplinary actions; hearings upon denial,
800 suspension, or revocation of license or registration;
801 administrative fines.—

802 (1)

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

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

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

816 402.312 License required; injunctive relief.—

817 (1) The operation of a child care facility without a
818 license, a family child day care home without a license or
819 registration, or a large family child care home without a
820 license is prohibited. If the department or the local licensing
821 agency discovers that a child care facility is being operated
822 without a license, a family child day care home is being
823 operated without a license or registration, or a large family
824 child care home is being operated without a license, the
825 department or local licensing agency is authorized to seek an
826 injunction in the circuit court where the facility is located to
827 enjoin continued operation of such facility, family child day
828 care home, or large family child care home. When the court is
829 closed for the transaction of judicial business, the department
830 or local licensing agency is authorized to seek an emergency
831 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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857 (3) The department shall collect a fee for any license it
858 issues for a child care facility, family child day care home, or
859 large family child care home pursuant to ss. 402.305, 402.313,
860 and 402.3131.

861 (a) For a child care facility licensed pursuant to s.
862 402.305, such fee shall be \$1 per child, based on the licensed
863 capacity of the facility, except that the minimum fee shall be
864 \$25 per facility and the maximum fee shall be \$100 per facility.

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

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

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

871 402.318 Advertisement.—A person, as defined in s. 1.01(3),
872 may not advertise a child care facility, family child day care
873 home, or large family child care home without including within
874 such advertisement the state or local agency license number or
875 registration number of such facility or home. Violation of this
876 section is a misdemeanor of the first degree, punishable as
877 provided in s. 775.082 or s. 775.083.

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

880 402.319 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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906 family child day care home to a parent or guardian who has a
907 child placed in the facility or is inquiring as to placing a
908 child in the facility, or to a representative of the licensing
909 authority, or to a representative of a law enforcement agency,
910 including, but not limited to, any misrepresentation as to:

- 911 1. The number of children at the child care facility or
912 the family child day care home;
- 913 2. The part of the child care facility or family child day
914 care home designated for child care;
- 915 3. The qualifications or credentials of child care
916 personnel;
- 917 4. Whether a family child day care home or child care
918 facility complies with the screening requirements of s. 402.305;
919 or
- 920 5. Whether child care personnel have the training as
921 required by s. 402.305.

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

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

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

935 **Section 21. Paragraph (c) of subsection (2) of section
936 409.988, Florida Statutes, is amended to read:**

937 409.988 Community-based care lead agency duties; general
938 provisions.—

939 (2) LICENSURE.—

940 (c) Substitute care providers who are licensed under s.
941 409.175 and who have contracted with a lead agency are also
942 authorized to provide registered or licensed family child day
943 care under s. 402.313 if such care is consistent with federal
944 law and if the home has met the requirements of s. 402.313.

945 **Section 22. Paragraph (b) of subsection (8) of section
946 411.203, Florida Statutes, is amended to read:**

947 411.203 Continuum of comprehensive services.—The
948 Department of Education and the Department of Health shall
949 utilize the continuum of prevention and early assistance
950 services for high-risk pregnant women and for high-risk and
951 handicapped children and their families, as outlined in this
952 section, as a basis for the intraagency and interagency program
953 coordination, monitoring, and analysis required in this chapter.
954 The continuum shall be the guide for the comprehensive statewide

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

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

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

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

1002.82 Department of Education; powers and duties.—

(2) The department shall:

(u) Administer a statewide toll-free Warm-Line to provide assistance and consultation to child care facilities and family child ~~day~~ care homes regarding health, developmental, 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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1005 (4) Establish a regional Warm-Line as directed by the
1006 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
1007 staff shall provide onsite technical assistance, when requested,
1008 to assist child care facilities and family child day care homes
1009 with inquiries relating to the strategies, curriculum, and
1010 environmental adaptations the child care facilities and family
1011 child day care homes may need as they serve children with
1012 disabilities and other special needs.

1013 **Section 26. Paragraphs (a) and (c) of subsection (1) of**
1014 **section 1002.88, Florida Statutes, are amended to read:**

1015 1002.88 School readiness program provider standards;
1016 eligibility to deliver the school readiness program.—

1017 (1) To be eligible to deliver the school readiness
1018 program, a school readiness program provider must:

1019 (a) Be a child care facility licensed under s. 402.305, a
1020 family child day care home licensed or registered under s.
1021 402.313, a large family child care home licensed under s.
1022 402.3131, a public school or nonpublic school exempt from
1023 licensure under s. 402.3025, a faith-based child care provider
1024 exempt from licensure under s. 402.316, a before-school or
1025 after-school program described in s. 402.305(1)(c), a child
1026 development program that is accredited by a national accrediting
1027 body and operates on a military installation that is certified
1028 by the United States Department of Defense, an informal child
1029 care provider to the extent authorized in the state's Child Care

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1030 and Development Fund Plan as approved by the United States
1031 Department of Health and Human Services pursuant to 45 C.F.R. s.
1032 98.18, or a provider who has been issued a provisional license
1033 pursuant to s. 402.309. A provider may not deliver the program
1034 while holding a probation-status license under s. 402.310.

1035 (c) Provide basic health and safety of its premises and
1036 facilities and compliance with requirements for age-appropriate
1037 immunizations of children enrolled in the school readiness
1038 program.

1039 1. For a provider that is licensed, compliance with s.
1040 402.305, s. 402.3131, or s. 402.313 and this subsection, as
1041 verified pursuant to s. 402.311, satisfies this requirement.

1042 2. For a provider that is a registered family child day
1043 care home or is not subject to licensure or registration by the
1044 Department of Children and Families, compliance with this
1045 subsection, as verified pursuant to s. 402.311, satisfies this
1046 requirement. Upon verification pursuant to s. 402.311, the
1047 provider shall annually post the health and safety checklist
1048 adopted by the department prominently on its premises in plain
1049 sight for visitors and parents and shall annually submit the
1050 checklist to its local early learning coalition.

1051 3. For a child development program that is accredited by a
1052 national accrediting body and operates on a military
1053 installation that is certified by the United States Department
1054 of Defense, the submission and verification of annual

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1055 inspections pursuant to United States Department of Defense
1056 Instructions 6060.2 and 1402.05 satisfies this requirement.

1057 **Section 27. Paragraph (c) of subsection (2) of section
1058 1002.895, Florida Statutes, is amended to read:**

1059 1002.895 Market rate schedule.—The school readiness
1060 program market rate schedule shall be implemented as follows:

1061 (2) The market rate schedule must differentiate rates by
1062 provider type, including, but not limited to:

1063 (c) Family child day care homes licensed or registered
1064 under s. 402.313.

1065 **Section 28. Paragraph (a) of subsection (3) and subsection
1066 (4) of section 1002.92, Florida Statutes, are amended to read:**

1067 1002.92 Child care and early childhood resource and
1068 referral.—

1069 (3) Child care resource and referral agencies shall
1070 provide the following services:

1071 (a) Identification of existing public and private child
1072 care and early childhood education services, including child
1073 care services by public and private employers, and the
1074 development of an early learning provider performance profile of
1075 those services through the single statewide information system
1076 developed by the department under s. 1002.82(2)(q). These
1077 services may include family child day care, public and private
1078 child care programs, the Voluntary Prekindergarten Education
1079 Program, Head Start, the school readiness program, special

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1080 education programs for prekindergarten children with
1081 disabilities, services for children with developmental
1082 disabilities, full-time and part-time programs, before-school
1083 and after-school programs, and vacation care programs. The early
1084 learning provider performance profile shall include, but not be
1085 limited to:

1086 1. Type of program.

1087 2. Hours of service.

1088 3. Ages of children served.

1089 4. Number of children served.

1090 5. Program information.

1091 6. Fees and eligibility for services.

1092 7. Availability of transportation.

1093 8. Participation in the Child Care Food Program, if
1094 applicable.

1095 9. A link to licensing inspection reports, if applicable.

1096 10. The components of the Voluntary Prekindergarten
1097 Education Program performance metric calculated under s. 1002.68
1098 which must consist of the program assessment composite score,
1099 learning gains score, achievement score, and its designations,
1100 if applicable.

1101 11. The school readiness program assessment composite
1102 score and program assessment care level composite score results
1103 delineated by infant classrooms, toddler classrooms, and
1104 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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1205 Care provider. Commission of three or more of the same class II
1206 violations within a 2-year period shall be grounds for
1207 termination of the designation as a Gold Seal Quality Care
1208 provider until the provider has no class II violations that are
1209 the same for a period of 1 year.

1210 (c) The child care provider must not have been cited for
1211 the same class III violation, as defined by rule of the
1212 Department of Children and Families, three or more times and
1213 failed to correct the violation within 1 year after the date of
1214 each citation, within the 2 years preceding its application for
1215 designation as a Gold Seal Quality Care provider. Commission of
1216 the same class III violation three or more times and failure to
1217 correct within the required time during a 2-year period may be
1218 grounds for termination of the designation as a Gold Seal
1219 Quality Care provider until the provider has no class III
1220 violations for a period of 1 year.

1221 (d) Notwithstanding paragraph (a), if the Department of
1222 Education determines through a formal process that a provider
1223 has been in business for at least 5 years and has no other class
1224 I violations recorded, the department may recommend to the state
1225 board that the provider maintain its Gold Seal Quality Care
1226 status. The state board's determination regarding such
1227 provider's status is final.

1228 **Section 31.** This act shall take effect July 1, 2026.

1229 -----

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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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1255 from denying, cancelling, and refusing to renew a
1256 policy for residential property insurance on the basis
1257 that the policyholders or applicants operate large
1258 family child care homes; providing exceptions;
1259 reenacting and amending s. 1001.24, F.S.; revising the
1260 definition of the term "Department of Education
1261 direct-support organization"; creating s. 1002.821,
1262 F.S.; providing a short title; providing definitions;
1263 creating the Florida Endowment for Early Learning
1264 Foundation within a Department of Education direct-
1265 support organization; providing revenues for the
1266 endowment fund; providing that funds from state
1267 sources are accounted separately from public and
1268 private sources; providing powers and duties of the
1269 board of directors; providing for distribution of
1270 moneys from the endowment fund; requiring annual
1271 reports and publications; requiring the Department of
1272 Education to adopt rules; amending s. 1002.95, F.S.;
1273 providing for administration of the Center for Early
1274 Childhood Professional Recognition; amending ss.
1275 39.101, 39.202, 125.0109, 166.0445, 212.08, 402.305,
1276 402.309, 402.310, 402.312, 402.315, 402.318, 402.319,
1277 409.988, 411.203, 1002.82, 1002.83, 1002.84, 1002.88,
1278 1002.895, 1002.92, 1002.93, 1002.945, and 1002.95,

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