

CHAPTER 2023-249

Committee Substitute for Committee Substitute for Senate Bill No. 538

An act relating to provisional child care licensing; amending s. 402.309, F.S.; requiring a local licensing agency or the Department of Children and Families, as applicable, to issue a provisional license or registration for a family day care home under certain circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (3), (4), and (5) of section 402.309, Florida Statutes, are redesignated as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section, to read:

402.309 Provisional license or registration.—

(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 day care home, or a large family child care home;

(b) Has made adequate provisions for the health and safety of the child; and

(c) Provides evidence that he or she has completed, within the previous 6 months, training pursuant to United States Department of Defense Instruction 6060.02 and background screening by the United States Department of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a favorable suitability and fitness determination.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 16, 2023.

Filed in Office Secretary of State June 16, 2023.