

Early Care and Education Legislation by State

This report provides an overview of significant enacted legislation in each state. It does not represent a comprehensive list of enacted bills and does not include all early care and education legislative enactments. This report does not contain bills with technical changes or all state budget appropriations bills.

Beyond the scope of early care and education, young children’s families and broader communities also influence their development. For additional pertinent legislation, please visit NCSL’s other databases:

- [Maternal and Child Health](#)
- [Preschool-3rd Grade](#)
- [Child Welfare](#)
- [Housing and Homelessness](#)

CATEGORIES	
CC Child care	GV Governance
FN Financing	PS Prekindergarten/School readiness
	PN Prenatal/Infant/Toddler
	WF Workforce
STATE	LEGISLATION
Arizona	CC SB 1504 Requires child care employees or anyone residing or working in a home-based child care setting to have a valid fingerprint clearance card before starting employment or volunteer work.
	CC SB20-126 Allows for the operation of a licensed family child care home within a homeowners’ association community.
	CC FN WF HB20-1002 Creates a grant program to provide financial support to existing licensed child care facilities meeting certain requirements that are in danger of closing due to COVID-19. Creates a grant program for new and emerging child care providers to become operational, meet licensing requirements and expand access to licensed child care throughout the state.
Colorado	GV PS SB 214 Prohibits meetings and suspends certain reports submitted to existing legislative interim committees, including the early childhood and school readiness legislative commission, for one year. Limits the early childhood and school readiness legislative commission to hold a maximum of four meetings annually.
	WF HB20-1053 Requires state agencies to align multiple early childhood credential and licensing systems. Requires development of resources to increase concurrent enrollment opportunities and support career pathways to becoming an early childhood educator. Allows for technical assistance and financial incentives to help early childhood care providers advance or maintain at least a level 3 rating on the state’s quality rating and improvement system.

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	FN PS PN HB 5001 Appropriates funds for prekindergarten to reduce class sizes, meet accountability standards, administer a progress monitoring assessment and to provide professional development and increase salaries for teachers. Appropriates funds to improve the quality of infant and toddler care and support auditory oral early intervention programs serving deaf infants and toddlers.
Florida	PS SB 156 Extends the expiration of the Early Childhood Music Education Incentive Pilot Program. Requires the University of Florida’s College of Education to collaborate with Florida International University’s School of Music to evaluate the program and share results with the Florida Center for Partnerships in Arts-Integrated Teaching.
	PN HB 1105 Authorizes circuit courts to create early childhood court programs to serve infants and toddlers in dependency court. Specifies requirements for programs. Permits the Office of the State Courts administrator to provide training and technical assistance, consultation for difficult cases and ongoing training for court teams and requires the office to contract to evaluate programs.
	CC SB 2894 Expands the list of child care providers that are exempt from licensure or registration. Permits the Department of Education to require child care providers serving families receiving a child care subsidy to meet minimum federal health and safety standards. States that a caregiver or facility is responsible for providing the burden of proof to meet exemption. Clarifies circumstances under which the department would investigate an individual or child care facility reported to violate state law, including filing for a search warrant.
Hawaii	FN GV PS HB 2543 Requires disclosure of students’ prior child care program or prekindergarten attendance to determine areas with the highest prekindergarten and child care program needs. Authorizes positions for the Preschool Open Doors Program and expands program eligibility. Removes public charter school prekindergarten programs from the administrative authority of the Executive Office on Early Learning and establishes that the State Public Charter School Commission has administrative authority over all state-funded early learning programs in public charter schools. Establishes a program to award grants for preschools and the preschool open doors special fund. Appropriates funds to expand the information technology system, to contract for and operate preschool and child care programs and to build pre-kindergarten and early learning services classrooms. Requires annual reporting regarding the revenues and expenditures of the early learning special fund.
Iowa	CC HB 2485 Creates an exception to the number of school-aged children allowed in home-based child care settings under certain conditions, including a public health emergency.

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	CC HB 457 Establishes an exception to the prohibition of sex offenders from living within 500 feet of a daycare if they reside in certain state-licensed facilities or shelters.
Idaho	CC HB 549 Requires child care facilities to place infants alone, on their backs and in a crib when sleeping. Adds additional criminal offenses that would make an applicant ineligible for child care licensure. Revises the appeals process for a child care license suspension, revocation or denial.
	CC HB 1264 Requires employees and volunteers of a child care facility to submit to a criminal history background check. Specifies that results of the background check may be used as grounds for denial or revocation of a child care license or eligibility for child care subsidy payments.
	CC HB 1265 Requires child care facilities test drinking water for lead levels every two years and take action to reduce levels if testing indicates a level of lead at or above a certain level.
Indiana	CC PN SB 238 Requires faith-based child care settings to have at least one individual who maintains a CPR certification present at all times. Requires caregiving employees and volunteers to maintain current first aid certification. Amends the definition of “early intervention services” to include additional services and qualified personnel.
	PS HB 1066 Permits a participating innovation network charter school that reconstitutes or establishes an eligible school to limit new kindergarten admissions to preschool students who attend a Level 3 or Level 4 Paths to QUALITY Preschool Program if the charter school and preschool have an agreement to share services or facilities.
	CC SB 40 Requires employees, volunteers and interns within child care facilities to submit to national and state fingerprint-based background checks.
Kentucky	CC SB 45 Requires the Cabinet for Health and Family Services to establish standards for licensed child care centers related to nutrition, physical activity, screen time and sugary drinks. Requires the adoption of these standards by licensed child care centers.
	CC SB 102 Reduces the number of children cared for in a nonresidential child care setting from seven to four to be defined as a “child care center.” Specifies that a “family child-care home” is the primary residence of the person providing care.
	CC WF HB 474 Requires child care providers to complete an annual training on mandatory reporter laws.
Louisiana	GV HB 251 Recreates the Early Childhood Care and Education Commission. Requires the Department of Education to provide updates on pilot programs to the commission.

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Maine	FN HB 1402 Expands tax increment financing to include certain child care facilities.		
	CC FN WF HF 4531/SF 4451 Appropriates up to \$450,000 for the state child care resource and referral program to administer emergency grants to licensed child care providers meeting specific eligibility requirements. Requires providers to prioritize care for children of essential workers through Dec. 31, 2020, or until the peacetime public health emergency ends, whichever is first, and to use health and safety practices that prevent the spread of COVID-19 in child care environments.		
	CC FN GV WF HF 11 Expands the definition of providers and clarifies the authority to waive requirements during a declared disaster for the child care assistance program. Requires a uniform application form for family child care variance requests. Specifies eligibility and clarifies provisions for child care services grants. Clarifies the definition of supervision in child care center settings and requirements for background checks of child care providers. Clarifies training requirements for family and group family child care providers and specifies child care providers as mandatory reporters of child maltreatment. Establishes a multidisciplinary child protection team allowed to provide education, resources and consultation to local agencies.		
Minnesota	CC FN HF 41 Increases child care assistance reimbursement rates to be the greater of (1) the 30th percentile of the most recent child care provider rate survey or (2) the rates in effect at the time of the update. Directs the Department of Human Services to consider certain factors when allocating additional funds due to the increased rates.		
	PS HF 33 Permits public schools to request documentation that verifies that a student meets age requirements for prekindergarten admission. Eliminates disciplinary expulsions and exclusions of prekindergarten program students except under certain circumstances and outlines requirements for nonexclusionary discipline practices. Requires the establishment of prekindergarten scholarship application timelines to meet operational needs of eligible families and programs. Requires that school districts or special education cooperatives and county and tribal health and human service agencies establish an Interagency Early Intervention Committee including representatives of various public service fields for children with disabilities under age five and their families.		
	CC LB 1185 Requires child care staff and anyone residing in a family child care home to submit to criminal background checks before a child care provider can participate in the Child Care Subsidy Program.		
New Jersey	CC SB 698/AB 2060 Allows public office holder or candidate to use political contributions to pay for child care expenses related to office or campaign activities.		
	PN SB 2021 Specifies that prescriptions for protein nutritional supplements and specialized infant formulas be filled with the generic equivalent unless noted by the prescription order. Appropriates funding for prenatal medical care for women who are ineligible for other state or federal health insurance programs.		

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New Mexico	FN HB 83 Creates the early childhood education and care fund and early childhood education and care program fund. Appropriates \$20 million to 30 million annually for the early childhood education and care program fund. Requires that any excess funding from the Mineral Leasing Act and the excess extraction taxes suspense fund be distributed to the early childhood education and care fund.
	FN PN SB 7500 Appropriates funds for the handicapped infants and toddlers program; services promoting safe infant sleep; the special supplemental nutrition program and nutritional services and education for women, infants and children; and grants to support infant recovery centers.
North Carolina	PS HB 1050 Requires the State Board of Education to identify low-performing schools annually and develop and publicly share a plan to improve performance grades and growth scores for each of these schools in the school administrative unit. Requires that comprehensive needs assessments for low-performing local school administrative units include an analysis of early childhood learning.
Oklahoma	FN PN HB 4153 Appropriates funds for early intervention and the Early Childhood Initiative.
Utah	CC HB 119 Clarifies provisions relating to a background check of an individual associated with a child care facility, program or provider.
	FN PS HB 99 Requires the state board contract with an independent evaluator to assess the home-based educational technology program for preschool children and that the evaluation includes scores from a specific assessment.
Virginia	CC HB 600/SB 593 Requires that during hours of operation, all firearms in a home-based child care setting be stored unloaded in a locked compartment or cabinet, and that all ammunition be stored in a separate locked container. The bill requires that the key or combination to such locked compartments be inaccessible to all children in the home.
	CC HB 799/SB 393 Requires programs that serve preschool-age children, including licensed child care, to develop and implement a plan to test potable water for lead levels. Water testing plans and results must be reviewed by the Commissioner of Social Services and the Department of Health's Office of Drinking Water. Stipulates that if testing indicates a level of lead at or above a certain level, the program shall implement remediation measures, retest the water and resubmit the results for review.
	CC HB 997/SB 675 Extends requirements for fingerprint-based background checks for child care employees, volunteers and anyone residing in home-based child care settings.
	CC HB 1235/SB 927 Requires child care providers within religious institutions who are exempt from licensure requirements to adhere to staff-to-child ratios based on the age of the youngest child under their care.

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Virginia	<p>CC</p> <p>SB 71 Prohibits possession of a firearm during operating hours on the property of a public, private or religious preschool or licensed child day center. Specifies that this does not apply to a person whose residence is on the property of the preschool or child care center. Allows religious or private preschools, and licensed child care centers to hire an armed security officer.</p>
	<p>CC</p> <p>SB 430 Asserts that, absent a court order, a minor’s child care records shall not be withheld from a parent regardless of whether the parent has custody of the child.</p>
	<p>CC</p> <p>SB 668 Requires child care employees and volunteers to submit to a criminal history background check and sex offender registry check in any state in which the applicant has resided in the preceding five years.</p>
	<p>CC FN PS WF</p> <p>HB 5005 Appropriates funding for the child care industry, provision of child care and stabilization grants for child care providers and local community partnerships during the COVID-19 emergency and for child care for certain Temporary Assistance for Needy Families recipients.</p>
	<p>CC GV</p> <p>HB 1012/SB 578 Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education and a uniform quality rating and improvement system. Requires the Superintendent of Public Instruction to establish a plan to implement the statewide unified early childhood care and education system. Transfers the authority to license and to regulate child day programs and other agencies from the Board of Social Services and Department of Social Services to the Board of Education and Department of Education.</p>
	<p>GV</p> <p>HB 1301 Establishes the Office of the Children’s Ombudsman to (1) affect changes in policy, procedure and legislation; (2) educate the public; (3) investigate and review actions certain institutions; and (4) monitor and ensure compliance with relevant statutes, rules and policies regarding children’s protective services and foster child care.</p>
	<p>PN</p> <p>HB 826 Requires the Department of Medical Assistance Services to convene a work group to evaluate costs and benefits of amending the state plan to include medical assistance from a certified doula from pregnancy up to one year postpartum. Requires the work group to develop recommendations related to an appropriate reimbursement rate for doula services and to report findings and recommendations to designated entities.</p>

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Vermont	<p>CC</p> <p>HB 742 Permits changes to child care licensing regulations to support children and families who receive state benefits and services. Allows continued child care operations with a reduced workforce and flexible staffing arrangements that are responsive to evolving needs during the declared state of emergency as a result of COVID-19. Grants at least .5% of the Child Care Financial Assistance Program appropriation to assist child care programs at risk of closure due to financial hardship while the state of emergency related to COVID-19 is in effect.</p>
	<p>CC FN</p> <p>SB 352 Authorizes the use of the Coronavirus Relief Fund for a stabilization program for in-home and center-based child care providers and preschools.</p>
	<p>CC</p> <p>HB 2456 Extends the grace period for families experiencing homelessness to 12 months to meet requirements for the state’s child care subsidy program.</p>
	<p>CC GV WF</p> <p>HB 2556 Requires the implementation of an affordable and community-based instructional program for early learning providers to meet professional education requirements for child care licensure. Creates a work group to study the financial impacts of licensing regulations on child care businesses and the costs and benefits to child care providers that are associated with participation in the state’s quality rating and improvement system.</p>
Washington	<p>CC PS</p> <p>HB 2619 Allows a family which is eligible for the state-funded prekindergarten program to maintain eligibility until their child starts kindergarten. Allows the Department of Children, Youth and Families to pay child care providers a subsidy rate that is equal to or higher than the provider’s private pay rate in order to support high-quality care and the implementation of health, safety and quality requirements. Requires recommendations to improve rural child care access to the legislature by Nov. 1, 2020. The recommendations must include estimated costs and any statutory changes necessary for implementation. Allows a child care license to be transferred to a new license in the event of a transfer of ownership of a child care operation. Establishes a pilot project to create a dual license for individuals to receive a combined foster care and child care license.</p>
	<p>CC PS</p> <p>SB 6483 Increases the time allowed for child care providers who serve families in the state-funded prekindergarten program and rate below a four on the state’s quality rating and improvement system to begin remedial activities to improve their rating. Stipulates that if providers do not achieve a rating of at least four following the remedial period, they are not eligible to receive state-funded support. Allows child care providers who do not rate at level three on the state’s quality rating and improvement system and serve families utilizing subsidies to continue to receive subsidy payments while completing remedial activities to improve their rating.</p>

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Washington	<p>CC</p> <p>SB 6540 Stipulates that a family’s 12-month eligibility period for child care subsidies starts on the date that child care is expected to begin.</p>
	<p>GV</p> <p>HB 2711 Requires multiple entities to collaboratively convene a work group to develop recommendations to meet the needs of students in foster care, experiencing homelessness or both from prekindergarten through postsecondary education. Specifies that the group will provide recommendations to specific individuals and offices in a final report by July 1, 2024.</p>
	<p>GV PN</p> <p>HB 2787 Completes the transfer of the early support for infants and toddlers program from the Office of the Superintendent of Public Instruction to the Department of Children, Youth and Families. Specifies requirements for appropriating and distributing program funds and services.</p>
	<p>GV</p> <p>HB 2737 Specifies that the children’s mental health working group include a provider specializing in infant or early childhood mental health and a representative of early learning and child care providers.</p>

Source: NCSL, 2020

This report was prepared using StateNet, a legislative tracking database, to perform bill searches and analysis. Summaries provided in this document and in the 50-state, online Early Care and Education bill tracking [searchable database](#) are provided by StateNet and updated and revised by NCSL.

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