

As Amended by House Committee

Session of 2025

HOUSE BILL No. 2294

By Committee on Commerce, Labor and Economic Development

Requested by Representative L. Williams

2-5

1 AN ACT concerning child care; relating to licensure of day care facilities,
2 child care homes and child care centers; reducing license fees and
3 training requirements; creating a process for day care facility licensees
4 to apply for a temporary waiver of certain statutory requirements;
5 authorizing the secretary of health and environment to develop and
6 operate pilot programs to increase child care facility availability and
7 capacity; establishing the Kansas office of early childhood; transferring
8 administration of day care licensing, parent education programs and the
9 child care subsidy program to the Kansas office of early childhood;
10 creating the day care facilities and child care resource and referral
11 agencies licensing fee fund and the day care criminal background and
12 fingerprinting fund; defining youth development programs; amending
13 section 1, as enacted by this act, section 3, as enacted by this act,
14 section 5, as enacted by this act, section 7, as enacted by this act,
15 section 9, as enacted by this act, section 11, as enacted by this act,
16 section 13, as enacted by this act, section 15, as enacted by this act,
17 K.S.A. 38-1901, 38-2103, 65-504, 65-505, 65-508, 65-508, as amended
18 by section 54 of this act, 65-512, 65-527, 65-531, 72-4161, 72-4162,
19 72-4163, 72-4164 and 72-4166 and K.S.A. 2024 Supp. 48-3406, 65-
20 503, 65-503, as amended by section 50 of this act, and 65-516 and
21 repealing the existing sections.

22
23 *Be it enacted by the Legislature of the State of Kansas:*

24 New Section 1. (a) Each staff member of a child care center shall
25 demonstrate an understanding of children and shall act with sound
26 judgment.

27 (b) Each applicant with a temporary permit and each licensee of a
28 child care center for fewer than 24 children shall hire a program director
29 who:

30 (1) Is at least 18 years of age;

31 (2) has a high school diploma or equivalent; and

32 (3) has one of the following:

33 (A) An associate degree or a higher degree in early childhood, child
34 development or a related academic discipline from a regionally accredited
35 college or university;

- 1 (B) a child development associate credential;
- 2 (C) a technical certificate or diploma in early childhood;
- 3 (D) three months of experience in early childhood education
- 4 providing direct care and supervision of children and three semester hours
- 5 of academic study or equivalent training in early childhood, child
- 6 development or a related academic discipline from a regionally accredited
- 7 college or university; or
- 8 (E) six months of experience in early childhood education providing
- 9 direct care and supervision of children.
- 10 (c) Each applicant with a temporary permit and each licensee of a
- 11 child care center for 24 or more children shall hire a program director who:
- 12 (1) Is at least 18 years of age;
- 13 (2) has a high school diploma or equivalent; and
- 14 (3) has one of the following:
- 15 (A) A bachelor's degree or a higher degree in early childhood, child
- 16 development or a related academic discipline from a regionally accredited
- 17 college or university and three months of experience in early childhood
- 18 education providing direct care and supervision of children;
- 19 (B) a bachelor's degree in an unrelated academic discipline from a
- 20 regionally accredited college or university and any of the following:
- 21 (i) Six months of experience in early childhood education providing
- 22 direct care and supervision of children;
- 23 (ii) 12 semester hours of academic study or equivalent training in
- 24 early childhood, child development or a related academic discipline;
- 25 (iii) a child development associate credential; or
- 26 (iv) a technical certificate or diploma in early childhood;
- 27 (C) an associate degree in early childhood, child development or a
- 28 related academic discipline from a regionally accredited college or
- 29 university and six months of experience in early childhood education
- 30 providing direct care and supervision of children;
- 31 (D) 12 semester hours of academic study or equivalent training in
- 32 early childhood, child development or a related academic discipline from a
- 33 regionally accredited college or university and any of the following
- 34 options:
- 35 (i) Six months of experience in early childhood education providing
- 36 direct care and supervision of children;
- 37 (ii) a child development associate credential; or
- 38 (iii) a technical certificate or diploma in early childhood;
- 39 (E) a child development associate credential and one year of
- 40 experience in early childhood education providing direct care and
- 41 supervision of children; or
- 42 (F) six years of experience in early childhood education providing
- 43 direct care and supervision of children or four years of experience in a

1 licensed child care center providing direct care and supervision of
2 children.

3 (d) Each individual who has obtained approval of program director
4 qualifications by the secretary for the department of health and
5 environment or the secretary's designee before December 31, 2025, shall
6 be exempt from the requirements in subsections (b)(3) and (c)(3).

7 (e) There shall be a lead teacher present with each unit of children in
8 the child care center. Each lead teacher shall:

9 (1) Be at least 18 years of age;

10 (2) have a high school diploma or equivalent; and

11 (3) have one of the following:

12 (A) An associate degree or a higher degree in early childhood, child
13 development or a related academic discipline from a regionally accredited
14 college or university;

15 (B) a technical certificate or diploma in early childhood;

16 (C) a child development associate credential;

17 (D) three semester hours of academic study or equivalent training in
18 early childhood, child development or a related academic discipline from a
19 regionally accredited college or university and three months of experience
20 in early childhood education providing direct care and supervision of
21 children of the same age range that the lead teacher will be serving; or

22 (E) six months of experience in early childhood education providing
23 direct care and supervision of children of the same age range that the lead
24 teacher will be serving.

25 (f) Each program director in a child care center licensed for fewer
26 than 24 children may also serve as a lead teacher in such child care center.

27 (g) Each assistant teacher shall:

28 (1) Have the ability to carry out assigned tasks competently under the
29 guidance of another staff member;

30 (2) have skills and ability to implement age-appropriate activities;

31 (3) have understanding of and the ability to respond appropriately to
32 children's needs;

33 (4) have the ability to foster positive, healthy relationships with
34 children;

35 (5) have interpersonal skills necessary to communicate clearly and
36 appropriately; and

37 (6) be at least 16 years of age.

38 (h) This section shall be a part of and supplemental to article 5 of
39 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

40 Sec. 2. On and after July 1, 2026, section 1, as enacted by this act, is
41 hereby amended to read as follows: (a) Each staff member of a child care
42 center shall demonstrate an understanding of children and shall act with
43 sound judgment.

1 (b) Each applicant with a temporary permit and each licensee of a
2 child care center for fewer than 24 children shall hire a program director
3 who:

4 (1) Is at least 18 years of age;

5 (2) has a high school diploma or equivalent; and

6 (3) has one of the following:

7 (A) An associate degree or a higher degree in early childhood, child
8 development or a related academic discipline from a regionally accredited
9 college or university;

10 (B) a child development associate credential;

11 (C) a technical certificate or diploma in early childhood;

12 (D) three months of experience in early childhood education
13 providing direct care and supervision of children and three semester hours
14 of academic study or equivalent training in early childhood, child
15 development or a related academic discipline from a regionally accredited
16 college or university; or

17 (E) six months of experience in early childhood education providing
18 direct care and supervision of children.

19 (c) Each applicant with a temporary permit and each licensee of a
20 child care center for 24 or more children shall hire a program director who:

21 (1) Is at least 18 years of age;

22 (2) has a high school diploma or equivalent; and

23 (3) has one of the following:

24 (A) A bachelor's degree or a higher degree in early childhood, child
25 development or a related academic discipline from a regionally accredited
26 college or university and three months of experience in early childhood
27 education providing direct care and supervision of children;

28 (B) a bachelor's degree in an unrelated academic discipline from a
29 regionally accredited college or university and any of the following:

30 (i) Six months of experience in early childhood education providing
31 direct care and supervision of children;

32 (ii) 12 semester hours of academic study or equivalent training in
33 early childhood, child development or a related academic discipline;

34 (iii) a child development associate credential; or

35 (iv) a technical certificate or diploma in early childhood;

36 (C) an associate degree in early childhood, child development or a
37 related academic discipline from a regionally accredited college or
38 university and six months of experience in early childhood education
39 providing direct care and supervision of children;

40 (D) 12 semester hours of academic study or equivalent training in
41 early childhood, child development or a related academic discipline from a
42 regionally accredited college or university and any of the following
43 options:

1 (i) Six months of experience in early childhood education providing
2 direct care and supervision of children;

3 (ii) a child development associate credential; or

4 (iii) a technical certificate or diploma in early childhood;

5 (E) a child development associate credential and one year of
6 experience in early childhood education providing direct care and
7 supervision of children; or

8 (F) six years of experience in early childhood education providing
9 direct care and supervision of children or four years of experience in a
10 licensed child care center providing direct care and supervision of
11 children.

12 (d) Each individual who has obtained approval of program director
13 qualifications by the secretary of the department for health and
14 environment or the secretary's designee before December 31, 2025, shall
15 be exempt from the requirements in subsections (b)(3) and (c)(3).

16 (e) There shall be a lead teacher present with each unit of children in
17 the child care center. Each lead teacher shall:

18 (1) Be at least 18 years of age;

19 (2) have a high school diploma or equivalent; and

20 (3) have one of the following:

21 (A) An associate degree or a higher degree in early childhood, child
22 development or a related academic discipline from a regionally accredited
23 college or university;

24 (B) a technical certificate or diploma in early childhood;

25 (C) a child development associate credential;

26 (D) three semester hours of academic study or equivalent training in
27 early childhood, child development or a related academic discipline from a
28 regionally accredited college or university and three months of experience
29 in early childhood education providing direct care and supervision of
30 children of the same age range that the lead teacher will be serving; or

31 (E) six months of experience in early childhood education providing
32 direct care and supervision of children of the same age range that the lead
33 teacher will be serving.

34 (f) Each program director in a child care center licensed for fewer
35 than 24 children may also serve as a lead teacher in the child care center.

36 (g) Each assistant teacher shall:

37 (1) Have the ability to carry out assigned tasks competently under the
38 guidance of another staff member;

39 (2) have skills and ability to implement age-appropriate activities;

40 (3) have understanding of and the ability to respond appropriately to
41 children's needs;

42 (4) have the ability to foster positive, healthy relationships with
43 children;

1 (5) have interpersonal skills necessary to communicate clearly and
2 appropriately; and

3 (6) be at least 16 years of age.

4 ~~(h) This section shall be a part of and supplemental to article 5 of~~
5 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

6 New Sec. 3. (a) (1) For each licensure year beginning after July 1,
7 2025, each person who provides care to children in a child care home shall
8 complete professional development training in an amount determined by
9 the secretary of up to 10 clock hours per licensure year.

10 (2) Such training shall consist of a minimum of eight hours of
11 training specified by the secretary.

12 (3) As part of the professional development training required under
13 this subsection:

14 (A) Each person who provides care to children in a child care home
15 shall submit to the secretary proof of completion of up to four hours of
16 such outside training in child care or any related subject. The secretary
17 shall retain records of such person's compliance with this requirement; and

18 (B) a person who maintains a child care home with one provider, if
19 such provider provides care simultaneously to four infants at any time
20 during the licensure year, shall submit to the secretary proof of completion
21 of at least three hours of such professional development training in an
22 infant-specific subject. The secretary shall retain records of such person's
23 compliance with this requirement.

24 (b) The secretary of health and environment shall update rules and
25 regulations regarding child ratios on or before October 1, 2025.

26 (c) This section shall be a part of and supplemental to article 5 of
27 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

28 Sec. 4. On and after July 1, 2026, section 3, as enacted by this act, is
29 hereby amended to read as follows: (a) ~~(1)~~ For each licensure year
30 beginning after July 1, ~~2025~~ 2026, each person who provides care to
31 children in a child care home shall complete professional development
32 training in an amount determined by the ~~secretary~~ *executive director* of up
33 to 10 clock hours per licensure year.

34 ~~(2)~~(b) Such training shall consist of a minimum of eight hours of
35 training specified by the ~~secretary~~ *executive director*.

36 ~~(3)~~(c) As part of the professional development training required under
37 this subsection:

38 ~~(A)~~(1) Each person who provides care to children in a child care
39 home shall submit to the ~~secretary~~ *executive director* proof of completion
40 of up to four hours of such outside training in child care or any related
41 subject. The ~~secretary~~ *executive director* shall retain records of such
42 person's compliance with this requirement; and

43 ~~(B)~~(2) a person who maintains a child care home with one provider, if

1 such provider provides care simultaneously to four infants at any time
2 during the licensure year, shall submit proof of completion of at least three
3 hours of such professional development training in an infant-specific
4 subject. The ~~secretary~~ *executive director* shall retain records of such
5 person's compliance with this requirement.

6 ~~(b) The secretary of health and environment shall update rules and~~
7 ~~regulations regarding child ratios on or before October 1, 2025.~~

8 ~~(c) This section shall be a part of and supplemental to article 5 of~~
9 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

10 New Sec. 5. (a) Each child care center shall have a program director
11 who is employed full time.

12 (b) Each child care center that is licensed for more than 75 children
13 shall have an administrator, who may also be the program director.

14 (c) The program director or administrator may, as needed, perform
15 the duties of a lead teacher or assistant teacher for up to half of the
16 program director's or administrator's total hours worked during each
17 calendar month.

18 (d) This section shall be a part of and supplemental to article 5 of
19 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

20 Sec. 6. On and after July 1, 2026, section 5, as enacted by this act, is
21 hereby amended to read as follows: (a) Each child care center shall have a
22 program director who is employed full time.

23 (b) Each child care center that is licensed for more than 75 children
24 shall have an administrator, who may also be the program director.

25 (c) The program director or administrator may, as needed, perform
26 the duties of a lead teacher or assistant teacher for up to half of the
27 program director's or administrator's total hours worked during each
28 calendar month.

29 ~~(d) This section shall be a part of and supplemental to article 5 of~~
30 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

31 New Sec. 7. (a) A child care center shall meet the legal requirements
32 of the local jurisdiction where the child care center is located for fire
33 protection, water supply and sewage disposal.

34 (b) (1) The designated area for children's activities shall contain a
35 minimum of 28 square feet of floor space per child, excluding kitchens,
36 passageways, storage areas and bathrooms.

37 (2) There shall be a minimum of 60 square feet of outdoor play space
38 on the premises for each child using the space at any given time.

39 (c) This section shall be a part of and supplemental to article 5 of
40 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

41 Sec. 8. On and after July 1, 2026, section 7, enacted by this act, is
42 hereby amended to read as follows: (a) A child care center shall meet the
43 legal requirements of the local jurisdiction where the child care center is

1 located for fire protection, water supply and sewage disposal.

2 (b) (1) The designated area for children's activities shall contain a
3 minimum of 28 square feet of floor space per child, excluding kitchens,
4 passageways, storage areas and bathrooms.

5 (2) There shall be a minimum of 60 square feet of outdoor play space
6 on the premises for each child using the space at any given time.

7 ~~(e) This section shall be a part of and supplemental to article 5 of~~
8 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

9 New Sec. 9. (a) The secretary of health and environment shall not
10 require as a condition of licensure for a child care home that the licensee
11 live in the child care home.

12 (b) This section shall be a part of and supplemental to article 5 of
13 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

14 Sec. 10. On and after July 1, 2026, section 9, as enacted by this act, is
15 hereby amended to read as follows: ~~(a) The secretary of health and~~
16 ~~environment~~ *executive director* shall not require as a condition of licensure
17 for a child care home that the licensee live in the child care home.

18 ~~(b) This section shall be a part of and supplemental to article 5 of~~
19 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

20 New Sec. 11. (a) Notwithstanding any other law to the contrary, a
21 person granted licensure to maintain a day care facility may request from
22 the secretary of health and environment a waiver from the requirements of
23 this act for a set period of time. Waiver requests shall be made in a form and
24 manner approved by the secretary of health and environment and shall
25 contain the provisions of the statute sought to be waived and the reasons
26 therefor.

27 (b) This section shall be a part of and supplemental to article 5 of
28 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

29 Sec. 12. On and after July 1, 2026, section 11, as enacted by this act,
30 is hereby amended to read as follows: ~~(a) Notwithstanding any other law~~
31 ~~to the contrary, a person granted licensure to maintain a day care facility~~
32 ~~may request from the secretary of health and environment~~ *executive*
33 *director* a waiver from the requirements of this act for a set period of time.
34 Waiver requests shall be made in a form and manner approved by the
35 ~~secretary of health and environment~~ *executive director* and shall contain
36 the provisions of the statute sought to be waived and the reasons therefor.

37 ~~(b) This section shall be a part of and supplemental to article 5 of~~
38 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

39 New Sec. 13. (a) (1) Notwithstanding any other law to the contrary,
40 the secretary of health and environment may develop and operate pilot
41 programs designed to increase the availability or capacity of child care
42 facilities in the state.

43 (2) The secretary may grant licensure to a person to maintain a day

1 care facility or youth development program in a pilot program under this
2 section that waives the requirements of this act or rules and regulations
3 related to licensure and operation of a day care facility or youth
4 development program, including requirements for staff at such day care
5 facility or youth development program. A day care facility or youth
6 development program granted a license under this section shall comply
7 with any alternative terms, conditions and requirements set by the
8 secretary as may be necessary to protect the health, safety and welfare of
9 any children that attend such day care facility or youth development
10 program.

11 (3) The secretary shall not grant a license under this section if the
12 secretary determines that a day care facility or youth development program
13 or staff of such facility or program would endanger the health, safety and
14 welfare of any child.

15 (b) The secretary may grant licensure to a person to maintain a day
16 care facility or youth development program under this section for up to
17 five licensure years, except that the secretary may grant an additional two
18 years of licensure to any facility or program that participated in a pilot
19 program pursuant to subsection (c) during the adoption of such rules and
20 regulations.

21 (c) If the secretary determines that a pilot program has been
22 successful and will increase the availability or capacity of child care
23 facilities in the state, the secretary shall:

24 (1) Make suggestions and recommendations to the legislature for
25 statutory changes relating to day care facilities or youth development
26 programs; and

27 (2) adopt any rules and regulations consistent with the findings from
28 such pilot program, including additional licensure categories and
29 requirements therefor.

30 (d) On or before the first day of each regular session of the
31 legislature, the secretary shall prepare and submit a report to the legislature
32 regarding any pilot program. Such report shall include, but not be limited to,
33 the number of participating day care facilities or youth development
34 programs and number of children attending such facilities or programs,
35 provisions of statutes and regulations waived by the secretary,
36 recommendations for changes to this act and a summary of findings from
37 the pilot program based on available information.

38 (e) As used in this section, "secretary" means the secretary of health
39 and environment.

40 (f) This section shall be a part of and supplemental to article 5 of
41 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

42 Sec. 14. On and after July 1, 2026, section 13, as enacted by this act,
43 is hereby amended to read as follows: (a) (1) Notwithstanding any other

1 law to the contrary, the ~~secretary of health and environment~~ *executive*
2 *director* may develop and operate pilot programs designed to increase the
3 availability or capacity of child care facilities in the state.

4 (2) The ~~secretary~~ *executive director* may grant licensure to a person to
5 maintain a day care facility or youth development program in a pilot
6 program under this section that waives the requirements of this act or rules
7 and regulations related to licensure and operation of a day care facility or
8 youth development program, including requirements for staff at such day
9 care facility or youth development program. A day care facility or youth
10 development program granted a license under this section shall comply
11 with any alternative terms, conditions and requirements set by ~~secretary~~
12 *the executive director* as may be necessary to protect the health, safety and
13 welfare of any children that attend such day care facility or youth
14 development program.

15 (3) The ~~secretary~~ *executive director* shall not grant a license under
16 this section if the ~~secretary~~ *executive director* determines that a day care
17 facility or youth development program or staff of such facility or program
18 would endanger the health, safety and welfare of any child.

19 (b) The ~~secretary~~ *executive director* may grant licensure to a person to
20 maintain a day care facility or youth development program under this
21 section for up to five licensure years, except that the ~~secretary~~ *executive*
22 *director* may grant an additional two years of licensure to any facility or
23 program that participated in a pilot program pursuant to subsection (c)
24 during the adoption of such rules and regulations.

25 (c) If the ~~secretary~~ *executive director* determines that a pilot program
26 has been successful and will increase the availability or capacity of child
27 care facilities in the state, the ~~secretary~~ *executive director* shall:

28 (1) Make suggestions and recommendations to the legislature for
29 statutory changes relating to day care facilities or youth development
30 programs; and

31 (2) adopt any rules and regulations consistent with the findings from
32 such pilot program, including additional licensure categories and
33 requirements therefor.

34 (d) On or before the first day of each regular session of the
35 legislature, the ~~secretary~~ *executive director* shall prepare and submit a
36 report to the legislature regarding any pilot program. Such report shall
37 include, but not be limited to, the number of participating day care
38 facilities or youth development programs and number of children attending
39 such facilities or programs, provisions of statutes and regulations waived
40 by the ~~secretary~~ *executive director*; recommendations for changes to this
41 act and a summary of findings from the pilot program based on available
42 information.

43 (e) ~~As used in this section, "secretary" means the secretary of health~~

1 ~~and environment.~~

2 ~~(f) This section shall be a part of and supplemental to article 5 of~~
3 ~~chapter 65 of the Kansas Statutes Annotated, and amendments thereto.~~

4 New Sec. 15. The secretary of health and environment shall not
5 impose restrictions on the use of 15-passenger vans purchased on or before
6 July 1, 2025.

7 Sec. 16. On and after July 1, 2026, section 15, as enacted by this act,
8 is hereby amended to read as follows: ~~The secretary of health and~~
9 ~~environment~~ *executive director* shall not impose restrictions on the use of
10 15-passenger vans purchased on or before July 1, 2025.

11 New Sec. 17. (a) There is hereby established within the executive
12 branch the Kansas office of early childhood.

13 (b) The Kansas office of early childhood shall be administered under
14 the direction and supervision of the executive director of early childhood.

15 (c) The governor shall appoint the executive director of early
16 childhood, subject to confirmation by the senate as provided in K.S.A. 75-
17 4315b, and amendments thereto. Except as provided in K.S.A. 46-2601,
18 and amendments thereto, no person appointed as executive director shall
19 exercise any power, duty or function as executive director until confirmed
20 by the senate.

21 (d) The executive director shall be in the unclassified service under
22 the Kansas civil service act and shall receive an annual salary to be fixed
23 by the governor. The executive director shall serve at the pleasure of the
24 governor.

25 (e) Except as provided in K.S.A. 38-2103, and amendments thereto,
26 all budgeting, purchasing and related management functions of the Kansas
27 office of early childhood shall be administered under the direction and
28 supervision of the executive director of early childhood.

29 (f) All expenditures shall be made in accordance with appropriation
30 acts upon warrants of the director of accounts and reports issued pursuant
31 to vouchers approved by the executive director of early childhood or the
32 executive director's designee. The executive director shall submit to the
33 legislature the annual request for the Kansas office of early childhood for
34 appropriations. The office's request shall be prepared and submitted in the
35 form and manner provided by K.S.A. 75-3716 and 75-3717, and
36 amendments thereto.

37 (g) The Kansas governmental operations accountability law applies to
38 the Kansas office of early childhood and the office shall be subject to
39 audit, review and evaluation under such law.

40 (h) The executive director shall maintain an office in Topeka, Kansas,
41 and may maintain offices and facilities to carry out the function of the
42 office in other locations of the state.

43 (i) (1) On or before July 1, 2025, the governor shall appoint an

1 interagency transition team to begin office operations.

2 (2) On or before January 1, 2026:

3 (A) The governor shall appoint the executive director; and

4 (B) the office shall begin transitioning programs identified in section
5 19, and amendments thereto, from state agencies to the office.

6 (3) On or before July 1, 2026, all identified programs shall be under
7 the direction and supervision of the executive director, including staff and
8 other operational functions.

9 (j) Nothing in this act shall be construed to preempt, supersede or
10 impinge on the authority of the Kansas department for children and
11 families provided in K.S.A. 75-3084 through 75-3089, and amendments
12 thereto.

13 New Sec. 18. The Kansas office of early childhood shall be
14 responsible for carrying out the general policies of the governor and the
15 executive director of early childhood by:

16 (a) Supporting the healthy development of Kansas children through
17 the coordination of early childhood programs and services in the fields of
18 early childhood care, child care, home visitation and other related issues;

19 (b) managing and administering various programs serving young
20 children and families;

21 (c) maximizing administrative efficiencies to reduce burdens on
22 families and improve access to early childhood services;

23 (d) assisting the governor in developing and implementing a
24 comprehensive service delivery system for Kansas children and families;

25 (e) facilitating joint planning and coordination between the public and
26 private sector to better serve the needs of children and families and
27 increase access to care;

28 (f) ensuring consistent communication with service providers, parents
29 and other individuals and organizations interested in early childhood
30 services to effectively respond to parental and community need, provide
31 assistance navigating the state's early childhood system and elevate
32 parental options for care in the state's mixed-delivery system;

33 (g) supporting child care providers, including, but not limited to,
34 center-based providers, family child care home providers and employer-
35 based providers through the licensure process, participating in state child
36 care programs and accessing funding or grant opportunities;

37 (h) developing metrics to evaluate efficiency and effectiveness of the
38 state's early childhood system and collecting the necessary data to measure
39 those metrics;

40 (i) supporting the early childhood service providers through the
41 delivery of services that enhance the profession, uplift the profession and
42 support the creation of a sustainable workforce; and

43 (j) developing a comprehensive strategy to expand access to a greater

1 quantity of high-quality affordable care and services across every region of
2 Kansas.

3 New Sec. 19. (a) The executive director of early childhood shall:

4 (1) Collect metrics and information on services available to children
5 and families to better measure the efficiency of the state's early childhood
6 system and monitor benchmarks related to positive outcomes for children
7 and families;

8 (2) prepare and implement plans for a comprehensive service delivery
9 system for children and families;

10 (3) facilitate and coordinate interagency cooperation toward the goal
11 of serving children and families with a variety of other state agencies, such
12 as the Kansas department for children and families, the department of
13 health and environment, the department of corrections, the state board of
14 education, the state board of regents and any other state office, department
15 or board providing services to Kansas children and families;

16 (4) provide a central contact for federal and state agencies concerning
17 early childhood care and related services;

18 (5) provide a central contact for information and assistance for
19 children, families, communities and businesses in need of early childhood
20 care and related services;

21 (6) serve as the primary contact for the Kansas legislature on policy,
22 administrative support and constituent services relating to early childhood
23 care and related services;

24 (7) enter into such contracts and agreements as necessary or
25 incidental to the performance of the powers and duties of the executive
26 director;

27 (8) charge and collect, by order, a fee necessary for the administration
28 and processing of paper documents, including, but not limited to,
29 applications, registrations, permits, licenses, certifications, renewals,
30 reports and remittance of fees that are necessary or incidental to the
31 execution of the laws relating to the Kansas office of early childhood;

32 (9) appoint and oversee directors of divisions within the office;

33 (10) transition the administration of the following programs to the
34 office:

35 (A) Child care assistance;

36 (B) children's initiative fund grants and early childhood block grants;

37 (C) day care facility licensing, youth development programs, school-
38 age programs and early youth care programs;

39 (D) children's cabinet accountability fund;

40 (E) child care quality;

41 (F) community-based child abuse prevention;

42 (G) child care capacity accelerator grants;

43 (H) children's cabinet administration;

- 1 (I) early childhood infrastructure;
- 2 (J) early childhood integrated data systems;
- 3 (K) head start collaboration office;
- 4 (L) healthy families America;
- 5 (M) Kansas early head start child care partnership;
- 6 (N) Kansas early head start home visitation;
- 7 (O) Kansas imagination library;
- 8 (P) maternal and child health home visitation;
- 9 (Q) maternal, infant and early childhood home visitation;
- 10 (R) parents as teachers; and
- 11 (S) preschool development grant for children from birth through five
- 12 years of age.
- 13 (11) enter into agreements with the secretary of administration for the
- 14 provision of shared services, including, but not limited to, personnel and
- 15 other administrative services for the office;
- 16 (12) adopt, amend or revoke any rules and regulations necessary to
- 17 carry out this act and the programs and duties of the office; and
- 18 (13) prepare and submit an annual written report to relevant
- 19 legislative committees and to the governor that contains:
- 20 (A) The status of programs under the jurisdiction of the office of
- 21 early childhood;
- 22 (B) an overview of the fiscal and administrative structures required to
- 23 oversee the programs and services under the jurisdiction of the office of
- 24 early childhood;
- 25 (C) data and metrics on the service rates for children and families,
- 26 early childhood system efficiency, early childhood workforce and public-
- 27 private partnerships; and
- 28 (D) recommendations and considerations to improve delivery of early
- 29 childhood care and related services and support the healthy development
- 30 of Kansas children and families.
- 31 (b) The executive director shall not adopt rules and regulations or
- 32 policies requiring educational outcomes or curriculum for persons or
- 33 entities licensed pursuant to this act.
- 34 (c) Nothing in this section shall be construed to authorize the
- 35 executive director to administer the preschool programs in K.S.A. 72-
- 36 3215, 72-3410 and 72-5154, and amendments thereto.
- 37 (d) Subject to this act the executive director shall organize the Kansas
- 38 office of early childhood in the manner that the executive director deems
- 39 most efficient. The executive director may establish policies governing the
- 40 transaction of business of the office and the administration of each division
- 41 within the office. The director of each division shall perform such duties
- 42 and exercise such powers as the executive director may prescribe and such
- 43 duties and powers as are prescribed by law. Such directors shall act for and

1 exercise the powers of the executive director to the extent that authority to
2 do so is delegated by the executive director.

3 New Sec. 20. (a) Except as otherwise provided by law, and subject to
4 the Kansas civil service act, the executive director shall appoint:

5 (1) Subordinate officers and employees as are necessary to enable the
6 director to exercise or perform the functions, powers and duties pursuant
7 to this act;

8 (2) the director of the division of child care;

9 (3) the director of the division of home visitation;

10 (4) the director of the division of head start collaboration; and

11 (5) the director of the Kansas children's cabinet.

12 (b) All subordinate officers and employees shall perform such duties
13 and exercise such powers as the executive director of the office may
14 prescribe and as perscribed by law, and shall act for and exercise the
15 powers of the executive director.

16 (c) Nothing in this section shall be construed to affect the status,
17 rights or benefits of civil service accrued or vested in any employee of the
18 Kansas children's cabinet, the Kansas department for children and families,
19 the department for health and environment or the state department of
20 education.

21 New Sec. 21. (a) (1) There is hereby established within and as a part
22 of the Kansas office of early childhood the division of child care. The
23 division shall oversee day care facility and child care resource and referral
24 agency licensing and child care finance and quality.

25 (2) The division of child care shall be administered by a director of
26 the division of child care, who shall be in the unclassified service under
27 the Kansas civil service act and appointed by the executive director.

28 (3) All of the powers, duties and functions of the existing day care
29 and child care resource and referral agency licensing programs pursuant to
30 this act within the division of public health of the department of health and
31 environment are hereby transferred to the division of child care.

32 (4) Whenever day care and child care resource and referral agency
33 licensing, or words of like effect, are referred to or designated by any
34 statute, rule and regulation, contract or any other document, including any
35 statute, rule and regulation, contract or any document created pursuant to
36 the authorities transferred by this section, such reference or designation
37 shall apply to the division of child care. The office of early childhood shall
38 serve as the state lead agency for child care and development fund
39 administration pursuant to 45 C.F.R. §§ 98.10 through 98.15.

40 (5) The division of child care may enter into agreements with the
41 Kansas department for children and families for the administration of child
42 care subsidy payments. If executed, such agreements shall require that the
43 secretary for children and families determine an applicant's eligibility for

1 the child care subsidy according to K.S.A. 39-709, and amendments
2 thereto, and provide information pertaining to such eligible applicants to
3 the division for administration of such benefits.

4 (b) (1) There is hereby established within and as a part of the Kansas
5 office of early childhood the division of home visitation. The division shall
6 oversee home visitation programs.

7 (2) The division of home visitation shall be administered by a director
8 of the Kansas division of home visitation, who shall be in the unclassified
9 service under the Kansas civil service act and appointed by the executive
10 director.

11 (3) All of the powers, duties and functions of the existing home
12 visitation programs outlined in section 19, and amendments thereto, are
13 hereby transferred to the division of home visitation.

14 (4) Whenever the existing home visitation programs outlined in
15 section 19, and amendments thereto, or words of like effect, are referred to
16 or designated by any statute, rule and regulation, contract or any other
17 document, including any statute, rule and regulation, contract or any
18 document created pursuant to the authorities transferred by this section,
19 such reference or designation shall apply to the division of home
20 visitation.

21 (c) (1) There is hereby established within and as a part of the Kansas
22 office of early childhood the division of head start collaboration. The
23 division shall oversee the early head start home visitation program and
24 early head start child care partnerships.

25 (2) The division of head start collaboration shall be administered by a
26 director of the division of head start collaboration, who shall be in the
27 unclassified service under the Kansas civil service act and appointed by
28 the executive director.

29 (3) All of the powers, duties and functions of the existing head start
30 programs outlined in section 19, and amendments thereto, are hereby
31 transferred to the division of home visitation.

32 (4) Whenever the existing head start programs outlined in section 19,
33 and amendments thereto, or words of like effect, are referred to or
34 designated by any statute, rule and regulation, contract or any other
35 document, including any statute, rule and regulation, contract or any
36 document created pursuant to the authorities transferred by this section,
37 such reference or designation shall apply to the division of head start
38 collaboration.

39 (d) (1) There is hereby established within and as a part of the Kansas
40 office of early childhood a division that shall be the Kansas children's
41 cabinet established under K.S.A. 38-1901, and amendments thereto.

42 (2) The Kansas children's cabinet shall be administered by the
43 director of the Kansas children's cabinet, who shall be in the unclassified

1 service under the Kansas civil service act and appointed by the executive
2 director.

3 (3) All of the powers, duties and functions of the existing Kansas
4 children's cabinet executive director are hereby transferred to the director
5 of the Kansas children's cabinet under the Kansas office of early
6 childhood.

7 New Sec. 22. (a) On or before July 1, 2026, except as otherwise
8 provided by this act, all rules and regulations, orders and directives of state
9 agencies related to the programs transferred by this act that are in effect on
10 the effective date of this act shall continue to be effective and shall be
11 deemed to be rules and regulations, orders and directives of the Kansas
12 office of early childhood until revised, amended, revoked or nullified
13 pursuant to law.

14 (b) (1) On or before July 1, 2026, the balances of all funds and
15 accounts appropriated or reappropriated that were used for or pertain to the
16 powers, duties and functions of programs transferred to the Kansas office
17 of early childhood pursuant to this act are hereby transferred within the
18 state treasury to the Kansas office of early childhood and shall be used for
19 the purpose for which the appropriation was originally made. The
20 executive director of the Kansas office of early childhood shall determine
21 and certify to the director of accounts and reports the amount in each
22 account of the state general fund or special revenue fund of state agencies
23 that have been determined by the executive director to be transferred.
24 Upon receipt of a certification pursuant to this paragraph, the director of
25 accounts and reports shall transfer the amount certified pursuant to this
26 paragraph from each account of the state general fund or special revenue
27 fund of a state agency that has been determined by the executive director
28 to be transferred.

29 (2) On or before July 1, 2026, the Kansas office of early childhood
30 shall succeed to all property, property rights and records of state agencies
31 that were used for or pertain to the powers, duties and functions of the
32 programs transferred to the Kansas office of early childhood pursuant to
33 this act.

34 (3) On or before July 1, 2026, any conflict as to the proper disposition
35 of the unexpended balance of any appropriation, property, property rights,
36 personnel or records as a result of the transfer of programs to the Kansas
37 office of early childhood pursuant to this act arising under this subsection
38 shall be determined by the governor.

39 (c) (1) On or after July 1, 2026, no suit, action or other proceeding,
40 judicial or administrative, lawfully commenced, or that could have been
41 commenced, by or against any state agency or program mentioned in this
42 act or by or against any officer of the state in such officer's official duties,
43 shall abate by reason of this act. The court may allow any such suit, action

1 or other proceeding to be maintained by or against the successor of any
2 such state agency or any officer affected.

3 (2) On or after July 1, 2026, no criminal action commenced or that
4 could have been commenced by the state shall abate by the taking effect of
5 this act.

6 (d) (1) On or before July 1, 2026, all officers and employees of the
7 state agencies related to the programs transferred in this act who,
8 immediately prior to the effective date of this act, are engaged in the
9 exercise and performance of the powers, duties and functions transferred
10 by this act, as well as all officers and employees of the state agencies
11 related to the programs transferred in this act who are determined by
12 executive director of the Kansas office of early childhood to be engaged in
13 providing administrative, technical or other support services that are
14 essential to the exercise and performance of the powers, duties and
15 functions transferred by this act, are hereby transferred to the Kansas
16 office of early childhood. All classified officers and employees so
17 transferred shall retain their status as classified employees.

18 (2) On or before July 1, 2026, officers and employees transferred by
19 this act shall retain all retirement benefits and leave balances and rights
20 that had accrued or vested prior to the date of transfer. The service of each
21 such officer or employee so transferred shall be deemed to have been
22 continuous. Any subsequent transfers, layoffs or abolition of classified
23 service positions under the Kansas civil service act shall be made in
24 accordance with the civil service laws and any rules and regulations
25 adopted thereunder. Nothing in this act shall affect the classified status of
26 any transferred person employed prior to the date of this transfer.

27 (3) On or before July 1, 2026, notwithstanding the effective date of
28 this act, the provisions of this act prescribing the transfer of officers and
29 employees to the Kansas office of early childhood established by this act,
30 the date of transfer of each such officer or employee shall commence at the
31 start of a payroll period.

32 New Sec. 23. (a) It shall be unlawful for any person, firm,
33 corporation or association to conduct or maintain a day care facility for
34 children under 16 years of age without having a license or temporary
35 permit therefor from the executive director of the Kansas office of early
36 childhood. Nothing in this act shall apply to:

37 (1) A residential facility or hospital that is operated and maintained
38 by a state agency as defined in K.S.A. 75-3701, and amendments thereto;

39 (2) child care facilities as defined in K.S.A. 65-503, and amendments
40 thereto; or

41 (3) a summer instructional camp that:

42 (A) Is operated by a Kansas educational institution as defined in
43 K.S.A. 74-32,120, and amendments thereto, or a postsecondary

1 educational institution as defined in K.S.A. 74-3201b, and amendments
2 thereto;

3 (B) is operated for not more than five weeks;

4 (C) provides instruction to children, all of whom are 10 years of age
5 or older; and

6 (D) is accredited by an agency or organization acceptable to the
7 executive director of the Kansas office of early childhood.

8 (b) This section shall take effect on and after July 1, 2026.

9 New Sec. 24. (a) As used in this act:

10 (1) "Act" means sections 2, 4, 6, 8, 10, 12, 14, 16 through 45, and
11 amendments thereto.

12 (2) "Assistant teacher" means a staff member of a child care center
13 who meets requirements specified in section 2, and amendments thereto,
14 and is responsible for assisting the lead teacher in the care of children.

15 (3) "Child care center" means a facility that meets child care center
16 regulations and provides care and educational activities for children.

17 (4) "Child care home" means the premises where care is provided for
18 children at a residence.

19 (5) "Child care resource and referral agency" means a business or
20 service conducted, maintained or operated by a person engaged in
21 providing resource and referral services, including information on specific
22 services provided by child care facilities, to assist parents to find child
23 care.

24 (6) (A) "Day care facility" means a day care home, preschool, child
25 care center, school-age program, youth development program or other
26 facility of a type determined by the executive director to require regulation
27 under this act.

28 (B) "Day care facility" does not include an individual who provides
29 care for less than 35 hours per week to four or fewer children, not more
30 than two of whom may be infants, who are not related to the individual by
31 blood, marriage or legal adoption.

32 (7) "Employee" means a person working, regularly volunteering or
33 residing in a day care facility.

34 (8) "Infant" means a child who is between two weeks and 12 months
35 of age or a child older than 12 months who has not yet learned to walk.

36 (9) "Lead teacher" means an individual who meets the requirements
37 of section 1, and amendments thereto, and can independently staff any unit
38 in a child care center.

39 (10) "Licensure year" means the period of time beginning on the
40 effective date and ending on the expiration date of a license.

41 (11) "Person" means any individual, association, partnership,
42 corporation, government, governmental subdivision or other entity.

43 (12) "Program director" means the staff member of a child care center

1 who meets the requirements of section 2, and amendments thereto, and
2 who is responsible for implementing and supervising the comprehensive
3 and coordinated plan of activities that provide for the education, care,
4 protection and development of children who attend a child care center.

5 (13) "School-age" means a child who will be at least six years of age
6 on or before the first day of September of any school year but is under 16
7 years of age.

8 (14) "Unit" means the number of children who may be present in one
9 group in a child care center.

10 (15) "Youth development program" means the same as defined in
11 section 40, and amendments thereto.

12 (b) This section shall take effect on and after July 1, 2026.

13 New Sec. 25. (a) The executive director of the Kansas office of early
14 childhood shall have the power to grant a license to a person to maintain a
15 day care facility for children under 16 years of age. A license granted to
16 maintain a day care facility shall state the name of the licensee, describe
17 the particular premises in or at which the business shall be carried on,
18 whether it shall receive and care for children, and the number of children
19 that may be cared for at any one time. No greater number of children than
20 is authorized in the license shall be kept on such premises, and the
21 business shall not be carried on in a building or place not designated in the
22 license. The license shall be kept posted in a conspicuous place on such
23 premises, where the business is conducted. A license granted to maintain a
24 day care facility shall have on its face an expiration sticker stating the date
25 of expiration of the license.

26 (b) The executive director of the Kansas office of early childhood
27 shall not grant a license in any case until careful inspection of the day care
28 facility has been made according to the terms of this act and until such day
29 care facility has complied with all the requirements of this act. The
30 executive director of the Kansas office of early childhood may issue a
31 temporary permit to operate for a period of not to exceed 90 days upon
32 receipt of an initial application for license. The executive director of the
33 Kansas office of early childhood may extend the temporary permit to
34 operate for an additional period of not to exceed 90 days if an applicant is
35 not in full compliance with this act but has made efforts toward full
36 compliance.

37 (c) (1) In all cases where the secretary for children and families
38 deems it necessary, an investigation of the day care facility shall be made
39 under the supervision of the secretary for children and families or other
40 designated qualified agents. For that purpose and for any subsequent
41 investigations, such agents shall have the right of entry and access to the
42 premises of the facility and to any information deemed necessary for the
43 completion of the investigation. In all cases where an investigation is

1 made, a report of the investigation of such facility shall be filed with the
2 executive director of the Kansas office of early childhood.

3 (2) In cases where neither approval nor disapproval can be given
4 within a period of 30 days following a formal request for such a study, the
5 executive director of the Kansas office of early childhood may issue a
6 temporary license without a fee, pending final approval or disapproval of
7 the center or facility.

8 (d) Whenever the executive director of the Kansas office of early
9 childhood refuses to grant a license to an applicant, the executive director
10 of the Kansas office of early childhood shall issue an order to that effect,
11 stating the reasons for such denial and, within five days after the issuance
12 of such order, notify the applicant of the refusal. Upon application and not
13 more than 15 days after the date of issuance of such order, a hearing on the
14 order shall be held in accordance with the Kansas administrative procedure
15 act.

16 (e) When the executive director of the Kansas office of early
17 childhood finds, upon investigation or is advised by the secretary for
18 children and families, that K.S.A. 59-2123, and amendments thereto, or
19 this act are being violated or the day care facility is maintained without
20 due regard to the health, safety or welfare of any child, the executive
21 director of the Kansas office of early childhood may issue an order
22 revoking such license after giving notice and conducting a hearing in
23 accordance with the Kansas administrative procedure act. Such order shall
24 clearly state the reason for the revocation.

25 (f) If the executive director revokes or refuses to renew a license, the
26 licensee who had a license revoked or not renewed shall not be eligible to
27 apply for a license for a period of one year subsequent to the date such
28 revocation or refusal to renew becomes final. If the executive director
29 revokes or refuses to renew a license of a licensee who is a repeat violator
30 for three or more times of statutory requirements or rules and regulations
31 or is found to have contributed to the death or serious bodily harm of a
32 child under such licensee's care, such licensee shall be permanently
33 prohibited from applying for a new license to provide child care or from
34 seeking employment under another licensee.

35 (g) Any applicant or licensee aggrieved by a final order of the
36 executive director of the Kansas office of early childhood denying or
37 revoking a license under this act may appeal the order in accordance with
38 the Kansas judicial review act.

39 (h) This section shall take effect on and after July 1, 2026.

40 New Sec. 26. (a) The annual fee for a license to conduct a day care
41 facility or child care resource and referral agency shall be fixed by the
42 executive director of the Kansas office of early childhood by rules and
43 regulations in an amount not to exceed the following:

- 1 (1) For a child care resource and referral agency, \$150; and
2 (2) for any day care facility subject to this act, there shall be no
3 annual fee for a license to conduct a child care facility.
- 4 (b) The license fee shall be paid to the executive director of the
5 Kansas office of early childhood when the license is applied for and
6 annually thereafter. The fee shall not be refundable. Fees in effect under
7 subsection (a) immediately prior to July 1, 2026, shall continue in effect on
8 and after July 1, 2026, until a different fee is established by the executive
9 director of the Kansas office of early childhood by rules and regulations.
- 10 (c) Any licensee who fails to renew such license within 30 days after
11 the expiration of the license shall pay to the executive director the renewal
12 fee plus a late fee in an amount of \$75 or an amount equal to the fee for
13 the renewal of a license, whichever is greater.
- 14 (d) Any licensee applying for an amended license shall pay to the
15 executive director of the Kansas office of early childhood a fee established
16 by rules and regulations of the executive director in an amount of not to
17 exceed \$35.
- 18 (e) There is hereby created the day care facilities and child care
19 resource and referral agencies licensing fee fund. The executive director of
20 the Kansas office of early childhood shall remit all moneys received by the
21 executive director from fees under this section to the state treasurer in
22 accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt
23 of each such remittance, the state treasurer, notwithstanding any other law
24 to the contrary, shall deposit the entire amount in the state treasury to the
25 credit of the day care facilities and child care resource and referral
26 agencies licensing fee fund. All expenditures from the day care facilities
27 and child care resource and referral agencies licensing fee fund shall be
28 made only for the purposes of this act in accordance with appropriation
29 acts upon warrants of the director of accounts and reports issued pursuant
30 to vouchers approved by the executive director of the Kansas office of
31 early childhood or by the executive director's designee. Notwithstanding
32 any other law to the contrary, no moneys shall be transferred or otherwise
33 revert from this fund to the state general fund by appropriation act or other
34 act of the legislature. Moneys available under this section by the creation
35 of the day care facilities or child care resource and referral agencies
36 licensing fee fund shall not be substituted for or used to reduce or
37 eliminate moneys available to the Kansas office of early childhood to
38 administer this act. Nothing in this act shall be construed to authorize a
39 reduction or elimination of moneys made available by the state to local
40 units of government for the purposes of this act.
- 41 (f) This section shall take effect on and after July 1, 2026.
- 42 New Sec. 27. (a) The executive director of the Kansas office of early
43 childhood shall serve notice of the issuance, limitation, modification,

1 suspension or revocation of a license to conduct a day care facility to the
2 secretary for children and families, the secretary of corrections, state
3 department of education, office of the state fire marshal, county, city-
4 county or multi-county department of health and any licensed child
5 placement agency or licensed child care resource and referral agency
6 serving the area where the facility is located. A day care facility or child
7 care resource and referral agency that has had a license limited, modified,
8 suspended, revoked or denied by the executive director of the Kansas
9 office of early childhood shall notify in writing the parents or guardians of
10 the enrollees of the limitation, modification, suspension, revocation or
11 denial. Neither the secretary for children and families nor any other person
12 shall place or cause to be placed any child under 16 years of age in any
13 day care facility or child care resource and referral agency that is not
14 licensed by the executive director of the Kansas office of early childhood.

15 (b) This section shall take effect on and after July 1, 2026.

16 New Sec. 28. (a) Each day care facility licensee shall keep a record
17 upon forms prescribed and provided by the executive director of the
18 Kansas office of early childhood. Such record shall include the name and
19 age of each child received and cared for in the facility together with the
20 names and addresses of the parents or guardians of such children and such
21 other information as the executive director of the Kansas office of early
22 childhood may require. Each day care facility licensee shall apply to and
23 shall receive without charge from the executive director of the Kansas
24 office of early childhood forms for such records as may be required. Such
25 forms shall contain a copy of this act.

26 (b) Information obtained under this section shall be confidential and
27 shall not be made public in a manner that would identify an individual.

28 (c) This section shall take effect on and after July 1, 2026.

29 New Sec. 29. (a) Each day care facility subject to this act shall:

30 (1) Be properly heated, plumbed, lighted and ventilated;

31 (2) have plumbing, water and sewerage systems that conform to all
32 applicable state and local laws; and

33 (3) be operated with strict regard to the health, safety and welfare of
34 each child.

35 (b) (1) Every day care facility shall furnish or cause to be furnished
36 for the use of each employee an individual towel, washcloth or disposable
37 towel, comb and individual drinking cup or sanitary bubbling fountain,
38 and toothbrushes for all children other than infants, and keep or require
39 such articles to be kept at all times in a clean and sanitary condition.

40 (2) Toothbrushes in a day care facility may be used after meals or as
41 appropriate.

42 (3) Every day care facility or child care resource and referral agency
43 shall comply with all applicable fire codes and rules and regulations of the

1 state fire marshal.

2 (c) The executive director of the Kansas office of early childhood
3 shall develop and adopt rules and regulations for the operation and
4 maintenance of day care facilities. The rules and regulations for operating
5 and maintaining day care facilities shall be designed to promote the health,
6 safety and welfare of any child served in such facilities by ensuring safe
7 and adequate physical surroundings, healthful food, adequate
8 handwashing, safe storage of toxic substances and hazardous chemicals,
9 sanitary diapering and toileting, home sanitation, supervision and care of
10 the residents by capable, qualified persons of sufficient number, after-hour
11 care, an adequate program of activities and services, sudden infant death
12 syndrome and safe sleep practices training, prohibition on corporal
13 punishment, crib safety, protection from electrical hazards, protection from
14 swimming pools and other water sources, fire drills, emergency plans,
15 safety of outdoor playground surfaces, door locks, safety gates and
16 transportation and such appropriate parental participation as may be
17 feasible under the circumstances.

18 (d) In addition to any rules and regulations adopted under this section
19 for safe sleep practices, a day care facility shall ensure that all of the
20 following requirements are met for children under 12 months of age:

21 (1) A child shall only be placed to sleep on a surface and in an area
22 that has been approved for use as such by the executive director of the
23 Kansas office of early childhood;

24 (2) the sleep surface shall be free from soft or loose bedding,
25 including, but not limited to, blankets, bumpers and pillows; and

26 (3) the sleep surface shall be free from toys, including mobiles and
27 other types of play equipment or devices.

28 (e) A day care facility shall ensure that children over 12 months of
29 age only be placed to sleep on a surface and in an area that has been
30 approved for use as such by the executive director of the Kansas office of
31 early childhood.

32 (f) The executive director of the Kansas office of early childhood
33 may exercise discretion to make exceptions to requirements in subsections
34 (d) and (e) where special health needs exist.

35 (g) Each child cared for in a day care facility, including children of
36 the person maintaining the facility, shall be required to have current
37 immunizations as the secretary of health and environment considers
38 necessary. The person maintaining a day care facility shall maintain a
39 record of each child's immunizations and provide to the secretary of health
40 and environment and the executive director of the Kansas office of early
41 childhood such information relating thereto, in accordance with rules and
42 regulations of the secretary of health and environment and executive
43 director, except that the person maintaining a day care facility shall not

1 have such person's license revoked solely for the failure to have or
2 maintain the immunization records required by this subsection.

3 (h) The immunization requirement of subsection (g) shall not apply if
4 one of the following is obtained:

5 (1) Certification from a licensed physician stating that the physical
6 condition of the child is such that immunization would endanger the child's
7 life or health; or

8 (2) a written statement signed by a parent or guardian that the parent
9 or guardian is an adherent of a religious denomination whose teachings are
10 opposed to immunizations.

11 (i) This section shall take effect on and after July 1, 2026.

12 New Sec. 30. (a) It shall be unlawful for any day care facility to
13 receive or care for any adult except as authorized by rules and regulations
14 adopted by the secretary of health and environment and the executive
15 director of the Kansas office of early childhood.

16 (b) This section shall take effect on and after July 1, 2026.

17 New Sec. 31. (a) It is hereby made the duty of the executive director
18 of the Kansas office of early childhood to inspect or cause to be inspected
19 on or after July 1, 2026, and once every 12 months thereafter, every day
20 care facility, unless otherwise provided in subsection (b). For the purpose
21 of inspection, the executive director or the executive director's authorized
22 agent, as an employee of the executive director or who has a contract with
23 the executive director to provide inspections pursuant to this act and who
24 holds a certificate issued pursuant to subsection (c), shall have the right of
25 entry and access to every department and every place in the premises, to
26 call for and examine the records that are required to be kept according to
27 this act and to make and preserve a record of every inspection. The
28 licensee shall give all reasonable information to the authorized agent of the
29 executive director of the Kansas office of early childhood and afford every
30 reasonable facility for viewing the premises and seeing the children
31 therein. No such child, without the consent of the child, shall be required
32 to be interviewed by any agent unless the agent is an authorized person.

33 (b) The executive director of the Kansas office of early childhood
34 shall conduct an inspection of any day care facility upon receiving a
35 complaint. Any new day care facility shall be inspected prior to issuance of
36 a license. The executive director may conduct an inspection of any day
37 care facility that has a record of repeated complaints or serious violations
38 at any time. Every 12 months, the executive director shall inspect any day
39 care facility that provides services to military families receiving military
40 assistance for child care.

41 (c) (1) The executive director shall create a surveyor certification and
42 provide a minimum of yearly continuing education to qualify for such
43 certification.

1 (2) If a surveyor fails to comply with the certification requirements
2 established by the executive director pursuant to paragraph (1), the
3 executive director may require such surveyor to complete an improvement
4 plan.

5 (3) If such surveyor does not satisfactorily complete the improvement
6 plan, the executive director may terminate such surveyor's current
7 certification.

8 (d) Persons conducting inspections and surveys pursuant to this act
9 shall hold a certification issued by the executive director.

10 (e) This section shall take effect on and after July 1, 2026.

11 New Sec. 32. (a) Whenever an authorized agent of the executive
12 director of the Kansas office of early childhood or the secretary for
13 children and families finds a day care facility that is not being conducted
14 according to law, it shall be the duty of such agent to notify the licensee in
15 writing of changes or alterations as such agent determines is necessary in
16 order to comply with the requirements of the law, and such agent shall file
17 a copy of such notice with the executive director of the Kansas office of
18 early childhood. It shall thereupon be the duty of the licensee to make such
19 changes or alterations as are contained in the written notice within five
20 days from the receipt of such notice. Notice shall be given in accordance
21 with the Kansas administrative procedure act.

22 (b) This section shall take effect on and after July 1, 2026.

23 New Sec. 33. (a) Any person, firm, corporation or association that
24 violates this act shall be guilty of a misdemeanor and, upon conviction,
25 shall be fined not less than \$5 but not more than \$50. Each and every day
26 that the person fails or refuses to comply with such provisions shall be
27 deemed a separate offense under this act. If, for 30 days after any final
28 conviction for such violation or revocation of license, the person still fails
29 or refuses to comply with the orders in the notice under section 32, and
30 amendments thereto, upon notice and a hearing in accordance with the
31 Kansas administrative procedure act, the building or premises where such
32 day care facility is conducted may be closed until such person has
33 complied with this act.

34 (b) This section shall take effect on and after July 1, 2026.

35 New Sec. 34. (a) Upon complaint of any authorized agent of the
36 executive director of the Kansas office of early childhood, the county
37 attorney of each county in this state is hereby authorized and required to
38 file a complaint and prosecute to the final determination all actions or
39 proceedings against any person under this act.

40 (b) This section shall take effect on and after July 1, 2026.

41 New Sec. 35. (a) No person shall knowingly maintain a day care
42 facility if an employee in this state or in other states or the federal
43 government:

1 (1) (A) Has been convicted of a crime that is classified as a person
2 felony under the Kansas criminal code;

3 (B) has been convicted of a felony under K.S.A. 2010 Supp. 21-
4 36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21
5 of the Kansas Statutes Annotated, and amendments thereto, or any felony
6 violation of any provision of the uniform controlled substances act prior to
7 July 1, 2009;

8 (C) has been convicted of any act that is described in articles 34, 35
9 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal,
10 or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, and
11 amendments thereto, or K.S.A. 21-6104, 21-6325, 21-6326, 21-6418
12 through 21-6422 or 21-6424, and amendments thereto, or been convicted
13 of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301,
14 and amendments thereto, to commit any such act or been convicted of
15 conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302,
16 and amendments thereto, to commit such act, or similar statutes of any
17 other state or the federal government;

18 (D) has been convicted of any act that is described in K.S.A. 21-4301
19 or 21-4301a, prior to their repeal, or K.S.A. 21-6401, and amendments
20 thereto, or similar statutes of any other state or the federal government; or

21 (E) has been convicted of any act that is described in K.S.A. 21-3718
22 or 21-3719, prior to their repeal, or K.S.A. 21-5812, and amendments
23 thereto, or similar statutes of any other state or the federal government;

24 (2) except as provided in subsection (b), has been adjudicated a
25 juvenile offender because of having committed an act that if done by an
26 adult would constitute the commission of a felony and that is a crime
27 against persons, is any act described in articles 34, 35 or 36 of chapter 21
28 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or
29 56 of chapter 21 of the Kansas Statutes Annotated, and amendments
30 thereto, or K.S.A. 21-6104, 21-6325, 21-6326, 21-6418 through 21-6422
31 or 21-6424, and amendments thereto, or similar statutes of any other state
32 or the federal government, or is any act described in K.S.A. 21-4301 or 21-
33 4301a, prior to their repeal, or K.S.A. 21-6401, and amendments thereto,
34 or similar statutes of any other state or the federal government;

35 (3) has been convicted or adjudicated of a crime that requires
36 registration as a sex offender under the Kansas offender registration act,
37 K.S.A. 22-4901 et seq., and amendments thereto, as a sex offender in any
38 other state or on the national sex offender registry;

39 (4) has committed an act of physical, mental or emotional abuse or
40 neglect or sexual abuse and who is listed in the child abuse and neglect
41 registry maintained by the Kansas department for children and families
42 pursuant to K.S.A. 38-2226, and amendments thereto, or any similar child
43 abuse and neglect registries maintained by any other state or the federal

1 government and:

2 (A) Has failed to successfully complete a corrective action plan that
3 has been deemed appropriate and approved by the Kansas department for
4 children and families or requirements of similar entities in any other state
5 or the federal government; or

6 (B) such person's record has not been expunged;

7 (5) has had a child removed from the home based on a court order
8 pursuant to K.S.A. 38-2251, and amendments thereto, in this state, or a
9 court order from any other state based upon a similar statute that finds the
10 child to be deprived or a child in need of care based on a finding of
11 physical, mental or emotional abuse or neglect or sexual abuse and the
12 child has not been returned to the home or the child has reached the age of
13 majority before being returned to the home and such person has failed to
14 satisfactorily complete a corrective action plan approved by the
15 department of health and environment;

16 (6) has had parental rights terminated pursuant to the Kansas juvenile
17 code or K.S.A. 38-2266 through 38-2270, and amendments thereto, or a
18 similar statute of other states;

19 (7) has signed a diversion agreement pursuant to K.S.A. 22-2906 et
20 seq., and amendments thereto, or an immediate intervention agreement
21 pursuant to K.S.A. 38-2346, and amendments thereto, involving a charge
22 of child abuse or a sexual offense; or

23 (8) has an infectious or contagious disease.

24 (b) Notwithstanding the provisions in subsection (a), no person shall
25 maintain a day care facility if such person has been found to be a person in
26 need of a guardian or a conservator, or both, as provided in K.S.A. 59-
27 3050 through 59-3095, and amendments thereto.

28 (c) Any person who resides in a day care facility and who has been
29 found to be in need of a guardian or a conservator, or both, shall be
30 counted in the total number of children allowed in care.

31 (d) In accordance with this subsection, the executive director of the
32 Kansas office of early childhood shall have access to any court orders or
33 adjudications of any court of record, any records of such orders or
34 adjudications, criminal history record information, including, but not
35 limited to, diversion agreements in the possession of the Kansas bureau of
36 investigation and any report of investigations as authorized by K.S.A. 38-
37 2226, and amendments thereto, or the Kansas department for children and
38 families or court of this state concerning employees in a day care facility.
39 The executive director shall have access to these records for the purpose of
40 determining whether or not the home meets the requirements of this
41 section, K.S.A. 59-2132, and amendments thereto, and sections 24 and 29,
42 and amendments thereto.

43 (e) In accordance with this subsection, the executive director is

1 authorized to conduct national criminal history record checks to determine
2 criminal history on employees in a day care facility. In order to conduct a
3 national criminal history check, the executive director shall require
4 fingerprinting for identification and determination of criminal history in
5 accordance with K.S.A. 22-4714, and amendments thereto.

6 (f) (1) The executive director of the Kansas office of early childhood
7 shall adopt rules and regulations to fix a fee for fingerprinting employees
8 in a day care facility, as may be required by the Kansas office of early
9 childhood to reimburse the Kansas office of early childhood for the cost of
10 the fingerprinting.

11 (2) The executive director shall remit all moneys received from the
12 fees established under this section to the state treasurer in accordance with
13 K.S.A. 72-4215, and amendments thereto. Upon receipt of each such
14 remittance, the state treasurer shall deposit the entire amount in the state
15 treasury to the credit of the child care criminal background and
16 fingerprinting fund.

17 (h) The day care criminal background and fingerprinting fund is
18 hereby created in the state treasury to be administered by the executive
19 director of the Kansas office of early childhood. All moneys credited to the
20 day care criminal background and fingerprinting fund shall be used to pay
21 local and state law enforcement officers and agencies for the processing of
22 fingerprints and criminal history background checks for the Kansas office
23 of early childhood. All expenditures from the day care criminal
24 background and fingerprinting fund shall be made in accordance with
25 appropriation acts upon warrants of the director of accounts and reports
26 issued pursuant to vouchers approved by the executive director or the
27 executive director's designee.

28 (i) The executive director shall notify the day care applicant or
29 licensee within seven days by certified mail, with return receipt requested,
30 when the result of the national criminal history record check or other
31 appropriate review reveals unfitness specified in subsection (a)(1) through
32 (a)(8) of the person who is the subject of the review.

33 (j) No day care facility or the employees thereof shall be liable for
34 civil damages to any person who is refused employment or discharged
35 from employment by reason of such facility's compliance with this section,
36 if such facility acts in good faith to comply with this section.

37 (k) For the purpose of subsection (a)(3), a person listed in the child
38 abuse and neglect central registry shall not be prohibited from being an
39 employee in a day care facility unless such person has:

40 (1) Had an opportunity to be interviewed and present information
41 during the investigation of the alleged act of abuse or neglect; and

42 (2) been given notice of the agency decision and an opportunity to
43 appeal such decision to the executive director and to the courts pursuant to

1 the Kansas judicial review act.

2 (l) No person shall maintain a day care facility unless such person is a
3 high school graduate or the equivalent thereof, except that, if extraordinary
4 circumstances exist, the executive director of the Kansas office of early
5 childhood may exercise discretion to make exceptions from this
6 requirement. This subsection shall not apply to any person who was
7 maintaining a day care facility on the day immediately prior to July 1,
8 2010.

9 (m) This section shall take effect on and after July 1, 2026.

10 New Sec. 36. (a) The executive director may limit, modify or suspend
11 any license or temporary permit issued under sections 23 through 35, and
12 amendments thereto, upon any of the following grounds and in the manner
13 provided in this act:

14 (1) Violation by the licensee or holder of a temporary permit of any
15 provision of this act, or of the rules and regulations promulgated under this
16 act;

17 (2) aiding, abetting or permitting the violation of any provision of this
18 act or of the rules and regulations promulgated under this act;

19 (3) conduct in the operation or maintenance, or both the operation and
20 maintenance, of a day care facility that is inimical to the health, safety or
21 welfare of any child receiving services from such day care facility or to the
22 public;

23 (4) the conviction of a licensee or holder of a temporary permit, at
24 any time during licensure or during the time that the temporary permit is in
25 effect, of crimes as defined in section 35, and amendments thereto; and

26 (5) a third or subsequent violation by the licensee or holder of a
27 temporary permit of section 42(b), and amendments thereto.

28 (b) This section shall take effect on and after July 1, 2026.

29 New Sec. 37. (a) The executive director may limit, modify or suspend
30 any license or temporary permit issued under sections 25 through 35, and
31 amendments thereto, prior to any hearing when, in the opinion of the
32 executive director, the action is necessary to protect any child in the day
33 care facility from physical or mental abuse, abandonment or any other
34 substantial threat to health, safety or welfare. Administrative proceedings
35 under this section shall be conducted in accordance with the emergency
36 adjudicative proceedings of the Kansas administrative procedure act and in
37 accordance with other relevant provisions of the Kansas administrative
38 procedure act.

39 (b) This section shall take effect on and after July 1, 2026.

40 New Sec. 38. (a) Records in the possession of the executive director
41 of early childhood or such director's agents regarding day care facilities
42 shall not be released publicly in a manner that would identify individuals,
43 except that individual names of licensees, applicants, facilities and day

1 care facilities may be released. Nothing in this section prohibits the release
2 of any information as required by law.

3 (b) Records in the possession of the executive director of early
4 childhood or such director's agents regarding day care facilities may be
5 released to:

6 (1) An agency or organization authorized to receive notice under
7 section 27, and amendments thereto;

8 (2) any local, state or federal governmental entity or subdivision
9 thereof;

10 (3) any child and adult care food program sponsoring agency; or

11 (4) any disaster or emergency entity.

12 (c) The executive director of the Kansas office of early childhood
13 shall prohibit the release of the name, address and telephone number of a
14 day care facility if the executive director determines that prohibition of the
15 release of the information is necessary to protect the health, safety or
16 welfare of the public or the children enrolled in the day care facility.

17 (d) Any records under subsection (a), (b) or (c) shall be available to
18 any member of the standing committee on appropriations of the house of
19 representatives or the standing committee on ways and means of the senate
20 carrying out such member's or committee's official functions in accordance
21 with K.S.A. 75-4319, and amendments thereto, in a closed or executive
22 meeting. Except in limited conditions established by $\frac{2}{3}$ of the members of
23 such committee, records received by the committee shall not be further
24 disclosed. Unauthorized disclosure may subject such member to discipline
25 or censure from the house of representatives or senate. Such records shall
26 not identify individuals but shall include data and contact information
27 concerning specific facilities.

28 (e) In any hearings conducted under the licensing or regulation
29 provisions of this act, the presiding officer may close the hearing to the
30 public to prevent public disclosure of matters relating to persons restricted
31 by other laws.

32 (f) Such records shall be confidential and shall not be subject to the
33 open records act, K.S.A. 45-215 et seq., and amendments thereto. This
34 subsection shall expire on July 1, 2031, unless the legislature reviews and
35 reenacts this provision pursuant to K.S.A. 45-229, and amendments
36 thereto, prior to July 1, 2031.

37 (g) This section shall take effect on and after July 1, 2026.

38 New Sec. 39. (a) The executive director of the Kansas office of early
39 childhood, in addition to any other penalty prescribed under this act, may
40 assess a civil fine, after proper notice and an opportunity to be heard in
41 accordance with the Kansas administrative procedure act, against a
42 licensee for each violation of such provisions or rules and regulations
43 adopted pursuant thereto that affect significantly and adversely the health,

1 safety or sanitation of children in a day care facility. Each civil fine
2 assessed under this section shall not exceed \$500. In the case of a
3 continuing violation, every day such violation continues shall be deemed a
4 separate violation.

5 (b) All fines assessed and collected under this section shall be
6 remitted to the state treasurer in accordance with K.S.A. 75-4215, and
7 amendments thereto. Upon receipt of each such remittance, the state
8 treasurer shall deposit the entire amount in the state treasury to the credit
9 of the state general fund.

10 (c) This section shall take effect on and after July 1, 2026.

11 New Sec. 40. (a) As used in this section:

12 (1) "Child" means an individual who is enrolled or attending
13 kindergarten, is less than 18 years of age, ~~or is 18 years of age and has an~~
14 ~~individualized program plan~~, is not a volunteer or employee and is
15 attending a youth development program.

16 (2) ~~"Individualized program plan" means a written goal-oriented plan~~
17 ~~of specialized services for each child with special needs or for each~~
18 ~~juvenile offender attending a day reporting program.~~

19 (3) "Premises" means the location, including the building and
20 adjoining grounds, for which the applicant has a temporary permit or
21 license to conduct a youth development program.

22 (4)(3) "Public recreation center" means any building used by a
23 political or taxing subdivision of this state, or by an agency of such
24 subdivision, for recreation programs that serve children who are less than
25 18 years of age.

26 (5)(4) "School" means any building used for instruction of students
27 enrolled in kindergarten or any of the grades one through 12 by a school
28 district or an accredited nonpublic school.

29 (6)(5) "School-age program" means a child care facility that serves
30 exclusively school-age children and youth but does not include a youth
31 development program.

32 (7)(6) "Youth development program" means a child care facility
33 where youth activities are conducted that is not located in an individual's
34 residence and that serves children who are enrolled in kindergarten to less
35 than 18 years of age.

36 (b) No license for a youth development program or school-age
37 program shall be denied, suspended or revoked on the basis that the
38 building does not meet the requirements for licensure if the building:

39 (1) Is a public recreation center or school and is used by school-age
40 children and youth that are of the same age as children and who are cared
41 for in a youth development program or school-age program;

42 (2) complies, during all hours of operation of a youth development
43 program or school-age program, with the Kansas fire prevention code or a

1 building code that is by law deemed to comply with the Kansas fire
2 prevention code; and

3 (3) except as provided in subsection (c), complies during all hours of
4 operation of a youth development program or school-age program with all
5 local building code provisions that apply to recreation centers if the
6 building is a public recreation center or to schools if the building is a
7 school.

8 (c) If the standards that a building is required to comply with under
9 subsections (b)(2) and (b)(3) are in conflict or are otherwise inconsistent,
10 then the building standards shall be subject to subsection (b)(2).

11 (d) No license for a youth development program or school-age
12 program that operates in accordance with subsection (b)(1) shall be denied,
13 suspended or revoked based on an environmental deficiency and shall be
14 approved or renewed if:

15 (1) The environmental deficiency does not pose an imminent risk to
16 children and youth;

17 (2) the environmental deficiency is outside the applicant's or
18 licensee's immediate authority to correct; and

19 (3) the applicant or licensee has notified the public recreation center
20 or school of the environmental deficiency.

21 (e) The executive director is authorized to adopt rules and regulations
22 applicable to the services provided by youth development programs,
23 regarding health, safety, supervisory qualifications or training and
24 premises safety, including modifications of occupancy capacity limits or
25 group gathering restrictions, consistent with the local or state building or
26 fire codes.

27 (f) The executive director shall consult with youth development
28 programs to identify and resolve barriers to such programs qualifying as
29 eligible providers of child care services for which participating families
30 may receive state or federal child care financial assistance.

31 (g) The executive director shall develop and implement pilot
32 programs and is authorized to adopt modifications to licenses issued
33 pursuant to this section to provide flexibility to youth development
34 programs to address the needs of families served.

35 (h) Whenever drop-in program or words of like effect, are referred to
36 or designated by any statute, rule or regulation, contract or any other
37 document, such reference or designation shall apply to a youth
38 development program.

39 (i) **If a licensed youth development program or school age**
40 **program operates on or within the premises of a public or private**
41 **school that is required to pass a fire safety inspection each school year**
42 **pursuant to K.S.A. 31-144(b), and amendments thereto, no additional**
43 **fire safety inspection of the licensed youth development program or**

1 **school age program shall be required by the executive director, the**
2 **state fire marshal, the fire chief or any local political or taxing**
3 **subdivision.**

4 (j) This section shall take effect on July 1, 2026.

5 New Sec. 41. (a) Any license, certificate of registration or temporary
6 permit that was issued prior to the effective date of this act and is in effect
7 on the effective date of this act shall continue in effect until the expiration
8 thereof, unless suspended or revoked prior to such time.

9 (b) This section shall take effect on and after July 1, 2026.

10 New Sec. 42. (a) As used in this section:

11 (1) "Day care home" means a child care home as defined in section
12 24, and amendments thereto, or a group day care home.

13 (2) "Smoking" means possession of a lighted cigarette, cigar, pipe or
14 burning tobacco in any other form or device designed for the use of
15 tobacco.

16 (b) Smoking is hereby prohibited within any room, enclosed area or
17 other enclosed space of a facility or facilities of a day care home during a
18 time when children who are not related by blood, marriage or legal
19 adoption to the person who maintains the home are being cared for as part
20 of the operation of the day care home within the facility or facilities.
21 Nothing in this subsection shall be construed to prohibit smoking on the
22 premises of the day care home or outside the facility or facilities of a day
23 care home, including, but not limited to, porches, yards or garages.

24 (c) Each day care license shall contain a statement in bold print that
25 smoking is prohibited within a room, enclosed area or other enclosed
26 space of the facility or facilities of the day care home under the conditions
27 specified in subsection (b). The statement shall be phrased in substantially
28 the same language as subsection (b). The license shall be posted in a
29 conspicuous place in the facility or facilities.

30 (d) Each day care home shall be equipped with a fire extinguisher that
31 shall be maintained in an operable condition in a readily accessible
32 location.

33 (e) The executive director of the Kansas office of early childhood
34 may levy a civil fine against any day care home for a first or second
35 violation of this section. A third or subsequent violation shall be subject to
36 this act.

37 (f) In addition to any civil fine that may be levied pursuant to
38 subsection (e), any day care home that violates any provision of this
39 section may also be subject to criminal punishment pursuant to K.S.A. 21-
40 6112, and amendments thereto.

41 (g) This section shall take effect on and after July 1, 2026.

42 New Sec. 43. (a) Except as otherwise provided, information and
43 records pertaining to the immunization status of persons against childhood

1 diseases as required by section 29, and amendments thereto, may be
2 disclosed and exchanged without a parent or guardian's written release
3 authorizing such disclosure to the following individuals and groups who
4 need to know such information in order to assure compliance with state
5 statutes or to achieve age-appropriate immunization status for children:

6 (1) Employees of public agencies or departments;

7 (2) health records staff of day care facilities, including, but not
8 limited to, facilities licensed by the executive director of the Kansas office
9 of early childhood;

10 (3) persons other than public employees who are entrusted with the
11 regular care of those under the care and custody of a state agency,
12 including, but not limited to, operators of day care facilities, group homes,
13 residential care facilities and adoptive or foster homes; and

14 (4) healthcare professionals.

15 (b) Information and records that pertain to the immunization status of
16 persons against childhood diseases as required by section 29, and
17 amendments thereto, whose parent or guardian has submitted a written
18 statement of religious objection to immunization as provided in section 29,
19 and amendments thereto, may not be disclosed or exchanged without a
20 parent or guardian's written release authorizing such disclosure.

21 (c) This section shall take effect on and after July 1, 2026.

22 New Sec. 44. (a) The executive director of the Kansas office of early
23 childhood shall establish or cause to be established an online information
24 dissemination system that is accessible to the public, including names of
25 licensees, applicants and history of citations and substantiated findings.
26 The executive director shall adopt rules and regulations that are consistent
27 with the requirements for the receipt of child care ARRA funds and
28 provide for the establishment of an online information dissemination
29 system in accordance with this subsection.

30 (b) This section shall take effect on and after July 1, 2026.

31 New Sec. 45. To the extent that funds expended for child care
32 services are subject to federal requirements and appropriation acts of the
33 legislature, such funds shall not be expended by any agency to reimburse
34 providers for unfilled child care slots, not including reimbursement for a
35 child who is temporarily absent due to illness or other reason and intend to
36 resume receiving child care services.

37 ~~New Sec. 46. (a) Licensed youth development programs and school-~~
38 ~~age programs that operate on or within premises of a public or private~~
39 ~~school licensed by the state of Kansas shall be exempt from the~~
40 ~~requirements of K.S.A. 65-508(b)(3), and amendments thereto, and section~~
41 ~~29(b)(3), and amendments thereto.~~

42 ~~(b) Such premises shall be governed by a memorandum of~~
43 ~~understanding concerning the provisions of school inspections between the~~

1 ~~state fire marshal and the local political or taxing subdivision.~~

2 Sec. ~~47.~~ **46.** K.S.A. 38-1901 is hereby amended to read as follows:
3 38-1901. On and after ~~the effective date of this act~~ *July 1, 2025*:

4 (a) *(1)* The advisory committee on children and families is hereby
5 redesignated and shall be known and referred to as the Kansas children's
6 cabinet.

7 *(2)* *The Kansas children's cabinet shall be a division in the Kansas*
8 *office of early childhood.*

9 (b) *(1)* The Kansas children's cabinet shall consist of ~~45~~ *18* members
10 as follows:

11 ~~(1)(A)~~ *(A)* *The executive director of the Kansas office of early childhood;*

12 *(B)* The secretary of health and environment, or the secretary's
13 designee;

14 ~~(2)(C)~~ *(C)* the secretary for children and families, or the secretary's
15 designee;

16 ~~(3)(D)~~ *(D)* a member of the state board of regents selected by the state
17 board of regents, or such member's designee;

18 ~~(4)(E)~~ *(E)* the commissioner of education, or the commissioner's
19 designee;

20 ~~(5)(F)~~ *(F)* ~~the commissioner of juvenile justice~~ *secretary of corrections,*
21 ~~or the commissioner's secretary's~~ designee;

22 ~~(6)(G)~~ *(G)* a member of the Kansas supreme court selected by the Kansas
23 supreme court, or such member's designee;

24 ~~(7)(H)~~ *(H)* five members of the public *appointed by the governor* who are
25 interested in and knowledgeable about the needs of children and families
26 ~~shall be appointed by the governor, which and who,~~ subject to ~~the~~
27 ~~provisions of~~ subsection (e), may include persons who are children's
28 advocates, members of organizations with experience in programs that
29 benefit children or other individuals who have experience with children's
30 programs and services;

31 ~~(8)(I)~~ *(I)* ~~one person~~ *legislative member* appointed by the speaker of the
32 house of representatives;

33 ~~(9)(J)~~ *(J)* *one legislative member appointed by the majority leader of the*
34 *house of representatives;*

35 ~~(K)~~ *(K)* ~~one person~~ *legislative member* appointed by the minority leader
36 of the house of representatives;

37 ~~(10)(L)~~ *(L)* ~~one person~~ *legislative member* appointed by the president of
38 the senate; ~~and~~

39 ~~(11)(M)~~ *(M)* *one legislative member appointed by the majority leader of*
40 *the senate; and*

41 ~~(N)~~ *(N)* ~~one person~~ *legislative member* appointed by the minority leader
42 of the senate.

43 (2) The members designated by ~~clauses (1), (2), (3), (4), (5) and (6)~~

1 of this subsection subparagraphs (1)(A) through (1)(G) shall be nonvoting
2 members of the Kansas children's cabinet. All other members shall be
3 voting members.

4 (c) (1) ~~Except as provided in paragraph (2) of this subsection, the~~
5 ~~members of the Kansas children's cabinet appointed by the governor,~~
6 ~~speaker, president and minority leaders shall serve for terms of four years~~
7 ~~and until their successors are appointed and qualified. The governor voting~~
8 ~~members shall appoint a chairperson of the committee cabinet from among~~
9 ~~the voting members appointed by the governor. The chairperson shall serve~~
10 ~~in such office throughout such member's current term of office and until a~~
11 ~~successor is appointed and qualified. The members of the Kansas~~
12 ~~children's cabinet may elect any additional officers from among its~~
13 ~~members necessary to carry out the duties and functions of the Kansas~~
14 ~~children's cabinet.~~

15 (2) ~~Of the members first appointed by the governor, two shall be~~
16 ~~appointed for terms of two years, two shall be appointed for terms of three~~
17 ~~years and the member selected by the governor to be the chairperson shall~~
18 ~~be appointed for a term of four years. The member first appointed by the~~
19 ~~speaker of the house of representatives shall be appointed for a term of one~~
20 ~~year, the member first appointed by the minority leader of the house of~~
21 ~~representatives shall be appointed for a term of two years, the member first~~
22 ~~appointed by the president of the senate shall be appointed for a term of~~
23 ~~three years and the member first appointed by the minority leader of the~~
24 ~~senate shall be appointed for a term of four years. The governor shall~~
25 ~~designate the term for which each of the members first appointed by the~~
26 ~~governor shall serve. Each voting member shall serve at the pleasure of~~
27 ~~such voting member's appointing authority.~~

28 (3) All members appointed to fill vacancies in the membership of the
29 Kansas children's cabinet and all members appointed to succeed members
30 appointed to membership on the Kansas children's cabinet shall be
31 appointed in like manner as that provided for the original appointment of
32 the member succeeded. ~~All members appointed to fill vacancies of a~~
33 ~~member of the Kansas children's cabinet appointed by the governor, the~~
34 ~~speaker of the house of representatives, the minority leader of the house of~~
35 ~~representatives, the president of the senate or the minority leader of the~~
36 ~~senate shall be appointed to fill the unexpired term of such member.~~

37 (d) Not more than three members of the Kansas children's cabinet
38 appointed by the governor under subsection ~~(b)(7)~~ (b)(1)(H) shall be
39 members of the same political party.

40 (e) (1) No person shall serve on the Kansas children's cabinet if such
41 person has knowingly acquired a substantial interest in any business. Any
42 such person who knowingly acquires such an interest shall vacate such
43 member's position on the Kansas children's cabinet.

1 (2) ~~For purposes of~~ *As used in this subsection:*

2 (A) "Substantial interest" means any of the following:

3 ~~(A)(i)~~ If an individual or an individual's spouse, either individually or
4 collectively, has owned within the preceding 12 months a legal or
5 equitable interest exceeding \$5,000 or 5% of any business, whichever is
6 less, the individual has a substantial interest in that business.

7 ~~(B)(ii)~~ If an individual or an individual's spouse, either individually or
8 collectively, has received during the preceding calendar year compensation
9 ~~which that~~ is or will be required to be included as taxable income on
10 federal income tax returns of the individual and spouse in an aggregate
11 amount of \$2,000 from any business or combination of businesses, the
12 individual has a substantial interest in that business or combination of
13 businesses.

14 ~~(C)(iii)~~ If an individual or an individual's spouse holds the position of
15 officer, director, associate, partner or proprietor of any business, the
16 individual has a substantial interest in ~~that the~~ business, irrespective of that
17 amount of compensation received by the individual or the individual's
18 spouse.

19 ~~(D)(iv)~~ If an individual or an individual's spouse receives
20 compensation ~~which that~~ is a portion or percentage of each separate fee or
21 commission paid to a business or combination of businesses, the individual
22 has a substantial interest in any client or customer who pays fees or
23 commissions to the business or combination of businesses from which fees
24 or commissions the individual or the individual's spouse, either
25 individually or collectively, received an aggregate of \$2,000 or more in the
26 preceding calendar year.

27 ~~(3) As used in this subsection,~~ (B) "Client or customer" means a
28 business or combination of businesses.

29 ~~(4) As used in this subsection,~~ (C) "Business" means any entity
30 ~~which that~~ is eligible to receive funds from the children's initiatives fund,
31 as provided in K.S.A. 38-2102, and amendments thereto, from the
32 children's initiatives accountability fund, established by K.S.A. 38-2103,
33 and amendments thereto, or from the family and children trust account of
34 the family and children investment fund, as provided in K.S.A. 38-1808,
35 and amendments thereto.

36 (f) The Kansas children's cabinet shall meet upon the call of the
37 chairperson as necessary to carry out the duties and functions of the
38 Kansas children's cabinet. A quorum of the Kansas children's cabinet shall
39 be five voting members.

40 (g) The Kansas children's cabinet shall have and perform the
41 following functions:

42 (1) Assist the governor *and the executive director of the Kansas*
43 *office of early childhood* in developing and implementing a coordinated,

1 comprehensive service delivery system to serve the children and families
2 of Kansas;

3 (2) identify barriers to service and gaps in service due to strict
4 definitions of boundaries between departments and agencies;

5 (3) facilitate interagency and interdepartmental cooperation toward
6 the common goal of serving children and families;

7 (4) investigate and identify methodologies for the combining of funds
8 across departmental boundaries to better serve children and families;

9 (5) propose actions needed to achieve coordination of funding and
10 services across departmental lines;

11 (6) encourage and facilitate joint planning and coordination between
12 the public and private sectors to better serve the needs of children and
13 families;~~and~~

14 (7) perform the duties and functions prescribed by K.S.A. 38-2103,
15 and amendments thereto; *and*

16 (8) *review each individual application submitted to the cabinet for*
17 *any grant funding opportunities and allocate and administer such grants*
18 *upon direction by the executive director of the Kansas office of early*
19 *childhood.*

20 (h) Members of the Kansas children's cabinet shall not be paid
21 compensation; but shall receive subsistence allowances, mileage and other
22 expenses as provided by K.S.A. 75-3223, and amendments thereto. The
23 subsistence allowances, mileage and other expenses as provided in K.S.A.
24 75-3223, and amendments thereto, shall be paid from available
25 appropriations of the ~~Kansas department for children and families~~ *Kansas*
26 *office of early childhood*, except that expenses of members who are
27 employed by a state agency shall be reimbursed by that state agency.

28 ~~(i) On the effective date of this act, the advisory committee on~~
29 ~~children and families is hereby abolished and all powers, duties, functions,~~
30 ~~records and other property of the advisory committee on children and~~
31 ~~families are hereby transferred to the Kansas children's cabinet created by~~
32 ~~this section. Except as otherwise specifically provided by this act, the~~
33 ~~Kansas children's cabinet shall be a continuation of the advisory~~
34 ~~committee on children and families as it existed prior to the effective date~~
35 ~~of this act.~~

36 ~~Sec. 48.~~ 47. K.S.A. 38-2103 is hereby amended to read as follows:
37 38-2103. (a) The Kansas children's cabinet established by K.S.A. 38-1901,
38 and amendments thereto, shall advise the governor ~~and~~, the legislature *and*
39 *the executive director of the Kansas office of early childhood* regarding the
40 uses of the moneys credited to the children's initiatives fund.

41 (b) *Use of such funds shall be subject to appropriations made by the*
42 *legislature.*

43 (c) The Kansas children's cabinet shall review, assess and evaluate all

1 uses of the moneys in the children's initiatives fund. The Kansas children's
2 cabinet shall study and shall initiate studies, assessments and evaluations,
3 by contract or otherwise, through institutions of higher education and other
4 appropriate research entities to identify best practices and to measure and
5 otherwise determine the efficiency and efficacy of practices that are
6 utilized in programs, projects, improvements, services and other purposes
7 for which moneys are allocated or appropriated from the children's
8 initiatives fund. The costs of such reviews, assessments and evaluations
9 shall be paid from the children's initiatives accountability fund.

10 ~~(e)~~(d) There shall be conducted performance audits and other audit
11 work by the legislative post auditor upon request by the Kansas children's
12 cabinet and as directed by the legislative post audit committee in
13 accordance with ~~the provisions of~~ the legislative post audit act. The
14 purpose of such performance audits and other audit work shall be to
15 provide interested parties with the program evaluation and research needed
16 to make informed decisions for the uses of moneys credited to the
17 children's initiatives fund. The auditor to conduct such performance audit
18 or other audit work shall be specified in accordance with K.S.A. 46-1122,
19 and amendments thereto, and if the legislative post audit committee
20 specifies under such statute that a firm, as defined by K.S.A. 46-1112, and
21 amendments thereto, is to perform all or part of the audit work of such
22 audit, such firm shall be selected and shall perform such audit work as
23 provided in K.S.A. 46-1123, and amendments thereto, and K.S.A. 46-1125
24 through 46-1127, and amendments thereto. The audit work required
25 pursuant to this subsection shall be conducted in accordance with
26 generally accepted governmental auditing standards. The post auditor shall
27 compute the reasonably anticipated cost of the audit work performed by a
28 firm for such performance audit or other audit work pursuant to this
29 subsection, subject to review and approval by the contract audit committee
30 established by K.S.A. 46-1120, and amendments thereto, and the Kansas
31 children's cabinet shall pay such cost from the children's initiatives
32 accountability fund. If all or part of the audit work for such performance
33 audit or other audit work is performed by the division of post audit and the
34 division of post audit incurs costs in addition to those attributable to the
35 operations of the division of post audit in the performance of other duties
36 and responsibilities, the post auditor shall charge the Kansas children's
37 cabinet for such additional costs and the Kansas children's cabinet shall
38 pay such charges from the children's initiatives accountability fund. The
39 payment of any such costs and any such charges shall be a transaction
40 between the division of post audit and the Kansas children's cabinet and
41 such transaction shall be settled in accordance with ~~the provisions of~~
42 K.S.A. 75-5516, and amendments thereto. All moneys received by the
43 division of post audit for such costs and charges shall be credited to the

1 audit services fund.

2 ~~(d)~~(e) There is hereby established in the state treasury the children's
3 initiatives accountability fund, which shall be administered in accordance
4 with this section and ~~the provisions of~~ appropriation acts. The governor
5 shall recommend and the legislature shall provide for moneys to be
6 credited annually to the children's initiatives accountability fund by
7 transfers or ~~other provisions of~~ appropriation acts.

8 ~~(e)~~(f) All moneys credited to the children's initiatives accountability
9 fund shall be used for the purposes of providing funding for assessment
10 and evaluation of programs, projects, improvements, services and other
11 purposes for which moneys are allocated or appropriated from the
12 children's initiatives fund. All expenditures from the children's initiatives
13 accountability fund shall be made in accordance with appropriation acts
14 upon warrants of the director of accounts and reports issued pursuant to
15 vouchers approved in the manner prescribed by law.

16 ~~(f)~~(g) On or before the 10th day of each month, the director of
17 accounts and reports shall transfer from the state general fund to the
18 Kansas endowment for youth fund interest earnings based on:

19 (1) The average daily balance of moneys in the children's initiatives
20 accountability fund for the preceding month; and

21 (2) the net earnings rate of the pooled money investment portfolio for
22 the preceding month.

23 ~~Sec. 49. 48.~~ K.S.A. 2024 Supp. 48-3406 is hereby amended to read as
24 follows: 48-3406. (a) For the purposes of this section:

25 (1) "Applicant" means an individual who is:

26 (A) A military spouse or military servicemember who resides or plans
27 to reside in this state due to the assigned military station of the individual
28 or the individual's spouse; or

29 (B) an individual who has established or intends to establish
30 residency in this state.

31 (2) "Complete application" means the licensing body has received all
32 forms, fees, documentation, a signed affidavit stating that the application
33 information, including necessary prior employment history, is true and
34 accurate and any other information required or requested by the licensing
35 body for the purpose of evaluating the application, consistent with this
36 section and the rules and regulations adopted by the licensing body
37 pursuant to this section. If the licensing body has received all such forms,
38 fees, documentation and any other information required or requested by
39 the licensing body, an application shall be deemed to be a complete
40 application even if the licensing body has not yet received a criminal
41 background report from the Kansas bureau of investigation. An application
42 by a military spouse of an active military servicemember shall be
43 considered a "complete application" without the submission of fees,

1 pursuant to ~~the provisions of~~ subsection (u).

2 (3) "Electronic credential" or "electronic certification, license or
3 registration" means an electronic method by which a person may display
4 or transmit to another person information that verifies the status of a
5 person's certification, licensure, registration or permit as authorized by a
6 licensing body and is equivalent to a paper-based certification, license,
7 registration or permit.

8 (4) "Licensing body" means an official, agency, board or other entity
9 of the state that authorizes individuals to practice a profession in this state
10 and issues a license, registration, certificate, permit or other authorization
11 to an individual so authorized.

12 (5) "Military servicemember" means a current member of any branch
13 of the United States armed services, United States military reserves or
14 national guard of any state or a former member with an honorable
15 discharge.

16 (6) "Military spouse" means the spouse of a military servicemember.

17 (7) "Person" means a natural person.

18 (8) "Private certification" means a voluntary program in which a
19 private organization grants nontransferable recognition to an individual
20 who meets personal qualifications and standards relevant to performing the
21 occupation as determined by the private organization.

22 (9) "Scope of practice" means the procedures, actions, processes and
23 work that a person may perform under a government issued license,
24 registration or certification.

25 (10) "Verification system" means an electronic method by which the
26 authenticity and validity of electronic credentials are verified.

27 (b) Notwithstanding any other provision of law, any licensing body
28 shall, upon submission of a complete application, issue a paper-based and
29 verified electronic license, registration or certification to an applicant as
30 provided by this section, so that the applicant may lawfully practice the
31 person's occupation. Any licensing body may satisfy any requirement
32 under this section to provide a paper-based license, registration,
33 certification or permit in addition to an electronic license, registration,
34 certification or permit by issuing such electronic credential to the applicant
35 in a format that permits the applicant to print a paper copy of such
36 electronic credential. Such paper copy shall be considered a valid license,
37 registration, certification or permit for all purposes.

38 (c) An applicant who holds a valid current license, registration or
39 certification in another state, district or territory of the United States shall
40 receive a paper-based and verified electronic license, registration or
41 certification:

42 (1) If the applicant qualifies under the applicable Kansas licensure,
43 registration or certification by endorsement, reinstatement or reciprocity

1 statutes, then pursuant to applicable licensure, registration or certification
2 by endorsement, reinstatement or reciprocity statutes of the licensing body
3 of this state for the license, registration or certification within 15 days from
4 the date a complete application was submitted if the applicant is a military
5 servicemember or military spouse or within 45 days from the date a
6 complete application was submitted for all other applicants; or

7 (2) if the applicant does not qualify under the applicable licensure,
8 registration or certification by endorsement, reinstatement or reciprocity
9 statutes of the licensing body of this state, or if the Kansas professional
10 practice act does not have licensure, registration or certification by
11 endorsement, reinstatement or reciprocity statutes, then the applicant shall
12 receive a license, registration or certification as provided herein if, at the
13 time of application, the applicant:

14 (A) Holds a valid current license, registration or certification in
15 another state, district or territory of the United States with licensure,
16 registration or certification requirements that the licensing body
17 determines authorize a similar scope of practice as those established by the
18 licensing body of this state, or holds a certification issued by another state
19 for practicing the occupation but this state requires an occupational
20 license, and the licensing body of this state determines that the
21 certification requirements certify a similar scope of practice as the
22 licensing requirements established by the licensing body of this state;

23 (B) has worked for at least one year in the occupation for which the
24 license, certification or registration is sought;

25 (C) has not committed an act in any jurisdiction that would have
26 constituted grounds for the limitation, suspension or revocation of the
27 license, certificate or registration, or that the applicant has never been
28 censured or had other disciplinary action taken or had an application for
29 licensure, registration or certification denied or refused to practice an
30 occupation for which the applicant seeks licensure, registration or
31 certification;

32 (D) has not been disciplined by a licensing, registering, certifying or
33 other credentialing entity in another jurisdiction and is not the subject of
34 an unresolved complaint, review procedure or disciplinary proceeding
35 conducted by a licensing, registering, certifying or other credentialing
36 entity in another jurisdiction nor has surrendered their membership on any
37 professional staff in any professional association or society or faculty for
38 another state or jurisdiction while under investigation or to avoid adverse
39 action for acts or conduct similar to acts or conduct that would constitute
40 grounds for disciplinary action in a Kansas practice act;

41 (E) does not have a disqualifying criminal record as determined by
42 the licensing body of this state under Kansas law;

43 (F) provides proof of solvency, financial standing, bonding or

1 insurance if required by the licensing body of this state, but only to the
2 same extent as required of any applicant with similar credentials or
3 experience;

4 (G) pays any fees required by the licensing body of this state; and

5 (H) submits with the application a signed affidavit stating that the
6 application information, including necessary prior employment history, is
7 true and accurate.

8 Upon receiving a complete application and the provisions of subsection
9 (c)(2) apply and have been met by the applicant, the licensing body shall
10 issue the license, registration or certification within 15 days from the date
11 a complete application was submitted by a military servicemember or
12 military spouse, or within 45 days from the date a complete application
13 was submitted by an applicant who is not a military servicemember or
14 military spouse, to the applicant on a probationary basis, but may revoke
15 the license, registration or certification at any time if the information
16 provided in the application is found to be false. The probationary period
17 shall not exceed six months. Upon completion of the probationary period,
18 the license, certification or registration shall become a non-probationary
19 license, certification or registration.

20 (d) Any applicant who has not been in the active practice of the
21 occupation during the two years preceding the application for which the
22 applicant seeks a license, registration or certification under subsection (c)
23 (2) may be required to complete such additional testing, training,
24 monitoring or continuing education as the Kansas licensing body may
25 deem necessary to establish the applicant's present ability to practice in a
26 manner that protects the health and safety of the public, as provided by
27 subsection (j).

28 (e) Upon submission of a complete application, an applicant may
29 receive an occupational license, registration or certification based on the
30 applicant's work experience in another state, if the applicant:

31 (1) Worked in a state that does not use an occupational license,
32 registration, certification or private certification to regulate an occupation,
33 but this state uses an occupational license, registration or certification to
34 regulate the occupation;

35 (2) worked for at least three years in the occupation during the four
36 years immediately preceding the application; and

37 (3) satisfies the requirements of subsection (c)(2)(C) through (H).

38 (f) Upon submission of a complete application, an applicant may
39 receive an occupational license, registration or certification under
40 subsection (b) based on the applicant's holding of a private certification
41 and work experience in another state, if the applicant:

42 (1) Holds a private certification and worked in a state that does not
43 use an occupational license or government certification to regulate an

1 occupation, but this state uses an occupational license or government
2 certification to regulate the occupation;

3 (2) worked for at least two years in the occupation;

4 (3) holds a current and valid private certification in the occupation;

5 (4) is held in good standing by the organization that issued the private
6 certification; and

7 (5) satisfies the requirements of subsection (c)(2)(C) through (H).

8 (g) An applicant licensed, registered or certified under this section
9 shall be entitled to the same rights and subject to the same obligations as
10 are provided by the licensing body for Kansas residents, except that
11 revocation or suspension of an applicant's license, registration or
12 certificate in the applicant's state of residence or any jurisdiction in which
13 the applicant held a license, registration or certificate shall automatically
14 cause the same revocation or suspension of such applicant's license,
15 registration or certificate in Kansas. No hearing shall be granted to an
16 applicant where such applicant's license, registration or certificate is
17 subject to such automatic revocation or suspension, except for the purpose
18 of establishing the fact of revocation or suspension of the applicant's
19 license, registration or certificate by the applicant's state of residence or
20 jurisdiction in which the applicant held a license, registration or certificate.

21 (h) In the event the licensing body determines that the license,
22 registration or certificate currently held by an applicant under subsection
23 (c)(2) or the work experience or private credential held by an applicant
24 under subsections (e) or (f), who is a military spouse or military
25 servicemember does not authorize a similar scope of practice as the
26 license, registration or certification issued by the licensing body of this
27 state, the licensing body shall issue a temporary permit for a limited period
28 of time to allow the applicant to lawfully practice the applicant's
29 occupation while completing any specific requirements that are required in
30 this state for licensure, registration or certification that were not required
31 in the state, district or territory of the United States in which the applicant
32 was licensed, registered, certified or otherwise credentialed, unless the
33 licensing body finds, based on specific grounds, that issuing a temporary
34 permit would jeopardize the health and safety of the public.

35 (i) In the event the licensing body determines that the license,
36 registration or certification currently held by an applicant under subsection
37 (c)(2) or the work experience or private credential held by an applicant
38 under subsections (e) or (f), who is not a military spouse or military
39 servicemember, does not authorize a similar scope of practice as the
40 license, registration or certification issued by the licensing body of this
41 state, the licensing body may issue a temporary permit for a limited period
42 of time to allow the applicant to lawfully practice the applicant's
43 occupation while completing any specific requirements that are required in

1 this state for licensure, registration or certification that was not required in
2 the state, district or territory of the United States in which the applicant
3 was licensed, registered, certified or otherwise credentialed, unless the
4 licensing body finds, based on specific grounds, that issuing a temporary
5 permit would jeopardize the health and safety of the public.

6 (j) Any testing, continuing education or training requirements
7 administered under subsection (d), (h) or (i) shall be limited to Kansas law
8 that regulates the occupation and that are materially different from or
9 additional to the law of another state, or shall be limited to any materially
10 different or additional body of knowledge or skill required for the
11 occupational license, registration or certification in Kansas.

12 (k) A licensing body may grant licensure, registration, certification or
13 a temporary permit to any person who meets the requirements under this
14 section but was separated from such military service under less than
15 honorable conditions or with a general discharge under honorable
16 conditions.

17 (l) Nothing in this section shall be construed to apply in conflict with
18 or in a manner inconsistent with federal law or a multistate compact, or a
19 rule or regulation or a reciprocal or other applicable statutory provision
20 that would allow an applicant to receive a license. Nothing in this section
21 shall be construed as prohibiting a licensing body from denying any
22 application for licensure, registration or certification, or declining to grant
23 a temporary or probationary license, if the licensing body determines that
24 granting the application may jeopardize the health and safety of the public.

25 (m) Nothing in this section shall be construed to be in conflict with
26 any applicable Kansas statute defining the scope of practice of an
27 occupation. The scope of practice as provided by Kansas law shall apply to
28 applicants under this section.

29 (n) Notwithstanding any other provision of law, during a state of
30 emergency declared by the legislature, a licensing body may grant a
31 temporary emergency license to practice any profession licensed, certified,
32 registered or regulated by the licensing body to an applicant whose
33 qualifications the licensing body determines to be sufficient to protect
34 health and safety of the public and may prohibit any unlicensed person
35 from practicing any profession licensed, certified, registered or regulated
36 by the licensing body.

37 (o) ~~Not later than January 1, 2025,~~ Licensing bodies shall provide
38 paper-based and verified electronic credentials to persons regulated by the
39 licensing body. A licensing body may prescribe the format or requirements
40 of the electronic credential to be used by the licensing body. Any statutory
41 or regulatory requirement to display, post or produce a credential issued by
42 a licensing body may be satisfied by the proffer of an electronic credential
43 authorized by the licensing body. A licensing body may use a third-party

1 electronic credential system that is not maintained by the licensing body.

2 (p) ~~On or before January 1, 2025, and~~ Subject to appropriations
3 ~~therefore therefor~~, the secretary of administration shall develop and
4 implement a uniform or singular license verification portal for the purpose
5 of verifying or reporting license statuses such as credentials issued,
6 renewed, revoked or suspended by licensing bodies or that have expired or
7 otherwise changed in status. The secretary of administration may utilize
8 the services or facilities of a third party for the central electronic record
9 system. The central electronic record system shall comply with the
10 requirements adopted by the information technology executive council
11 pursuant to K.S.A. 75-7203, and amendments thereto. ~~Beginning January~~
12 ~~1, 2025,~~ Each licensing body shall be able to integrate with the uniform or
13 singular license verification portal in the manner and format required by
14 the secretary of administration indicating any issuance, renewal,
15 revocation, suspension, expiration or other change in status of an
16 electronic credential that has occurred. No charge for the establishment or
17 maintenance of the uniform or singular license verification portal shall be
18 imposed on any licensing body or any person with a license, registration,
19 certification or permit issued by a licensing body. The centralized
20 electronic credential data management systems shall include an
21 instantaneous verification system that is operated by the licensing body's
22 respective secretary, or the secretary's designee, or the secretary's third-
23 party agent on behalf of the licensing body for the purpose of instantly
24 verifying the authenticity and validity of electronic credentials issued by
25 the licensing body. Centralized electronic credential data management
26 systems shall maintain an auditable record of credentials issued by each
27 licensing body.

28 (q) Nothing in this section shall be construed as prohibiting or
29 preventing a licensing body from developing, operating, maintaining or
30 using a separate electronic credential system of the licensing body or of a
31 third party in addition to making the reports to the central electronic record
32 system required by subsection (p) or participating in a multistate compact
33 or a reciprocal licensure, registration or certification process as long as the
34 separate electronic credential system of the licensing body integrates with
35 the uniform or singular license verification portal.

36 (r) Each licensing body shall adopt rules and regulations necessary to
37 implement and carry out ~~the provisions of~~ this section.

38 (s) This section shall not apply to the practice of law or the regulation
39 of attorneys pursuant to K.S.A. 7-103, and amendments thereto, or to the
40 certification of law enforcement officers pursuant to the Kansas law
41 enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

42 (t) The state board of healing arts and the state board of technical
43 professions, with respect to an applicant who is seeking a license to

1 practice professional engineering or engage in the practice of engineering,
2 as defined in K.S.A. 74-7003, and amendments thereto, may deny an
3 application for licensure, registration or certification, or decline to grant a
4 temporary or probationary license, if the board determines the applicant's
5 qualifications are not substantially equivalent to those established by the
6 board. Such boards shall not otherwise be exempt from ~~the provisions of~~
7 this act.

8 (u) Notwithstanding any other provision of law to the contrary,
9 applicants who are military spouses of active military service members
10 shall be exempt from all fees assessed by any licensing body to obtain an
11 occupational credential in Kansas and renew such credential including
12 initial or renewal application, licensing, registration, certification,
13 endorsement, reciprocity or permit fees and any criminal background
14 report fees, whether assessed by the licensing body or another agency.
15 Licensing bodies shall adopt rules and regulations to implement ~~the~~
16 ~~provisions of~~ this subsection.

17 (v) This section shall apply to all licensing bodies not excluded under
18 subsection (s), including, but not limited to:

- 19 (1) The abstracters' board of examiners;
- 20 (2) the board of accountancy;
- 21 (3) the board of adult care home administrators;
- 22 (4) the secretary for aging and disability services, with respect to
23 K.S.A. 65-5901 et seq. and 65-6503 et seq., and amendments thereto;
- 24 (5) the Kansas board of barbering;
- 25 (6) the behavioral sciences regulatory board;
- 26 (7) the Kansas state board of cosmetology;
- 27 (8) the Kansas dental board;
- 28 (9) the state board of education;
- 29 (10) the Kansas board of examiners in fitting and dispensing of
30 hearing instruments;
- 31 (11) the board of examiners in optometry;
- 32 (12) the state board of healing arts, as provided by subsection (t);
- 33 (13) the secretary of health and environment, ~~with respect to K.S.A.~~
34 ~~82a-1201 et seq., and amendments thereto;~~
- 35 (14) *the executive director of Kansas office of early childhood;*
- 36 (15) the commissioner of insurance, with respect to K.S.A. 40-241
37 and 40-4901 et seq., and amendments thereto;
- 38 ~~(15)~~(16) the state board of mortuary arts;
- 39 ~~(16)~~(17) the board of nursing;
- 40 ~~(17)~~(18) the state board of pharmacy;
- 41 ~~(18)~~(19) the Kansas real estate commission;
- 42 ~~(19)~~(20) the real estate appraisal board;
- 43 ~~(20)~~(21) the state board of technical professions, as provided by

1 subsection (t); and

2 ~~(21)~~(22) the state board of veterinary examiners.

3 (w) All proceedings pursuant to this section shall be conducted in
4 accordance with ~~the provisions of~~ the Kansas administrative procedure act
5 and shall be reviewable in accordance with the Kansas judicial review act.

6 (x) ~~(1) Commencing on July 1, 2021, and each year thereafter, Each~~
7 ~~licensing body listed in subsection (u)(1) (v)(1) through (21) (22) shall~~
8 ~~provide a report for the period of July 1 through June 30 to the director of~~
9 ~~legislative research by August 31 of each year, providing information~~
10 ~~requested by the director of legislative research to fulfill the requirements~~
11 ~~of this subsection. The director of legislative research shall develop the~~
12 ~~report format, prepare an analysis of the reports and submit and present the~~
13 ~~analysis to the office of the governor, the house of representatives~~
14 ~~committee on commerce, labor and economic development of the house of~~
15 ~~representatives or any successor committee thereof, the senate committee~~
16 ~~on commerce of the senate or any successor committee thereof, the house~~
17 ~~of representatives committee on appropriations of the house of~~
18 ~~representatives or any successor committee thereof and the senate~~
19 ~~committee on ways and means of the senate or any successor committee~~
20 ~~thereof by January 15 of the succeeding year. The director's report may~~
21 ~~provide any analysis the director deems useful and shall provide the~~
22 ~~following items, detailed by applicant type, including military~~
23 ~~servicemember, military spouse and non-military individual:~~

24 ~~(1)(A) The number of applications received under the provisions of~~
25 ~~this section;~~

26 ~~(2)(B) the number of applications granted under this section;~~

27 ~~(3)(C) the number of applications denied under this section;~~

28 ~~(4)(D) the average time between receipt of the application and~~
29 ~~completion of the application;~~

30 ~~(5)(E) the average time between receipt of a complete application and~~
31 ~~issuance of a license, certification or registration; and~~

32 ~~(6)(F) identification of applications submitted under this section~~
33 ~~where the issuance of credentials or another determination by the licensing~~
34 ~~body was not made within the time limitations pursuant to this section and~~
35 ~~the reasons for the failure to meet such time limitations.~~

36 (2) All information shall be provided by the licensing body to the
37 director of legislative research in a manner that maintains the
38 confidentiality of all applicants and in aggregate form that does not permit
39 identification of individual applicants.

40 ~~Sec. 50. 49.~~ K.S.A. 2024 Supp. 65-503 is hereby amended to read as
41 follows: 65-503. As used in this act:

42 (a) ~~"Child placement agency" means a business or service conducted,~~
43 ~~maintained or operated by a person engaged in finding homes for children~~

1 by placing or arranging for the placement of such children for adoption or
2 foster care.

3 ~~(b) "Child care resource and referral agency" means a business or~~
4 ~~service conducted, maintained or operated by a person engaged in~~
5 ~~providing resource and referral services, including information of specific~~
6 ~~services provided by child care facilities, to assist parents to find child~~
7 ~~care. "Act" means article 5 of chapter 65 of the Kansas Statutes~~
8 ~~Annotated, and amendments thereto.~~

9 (b) "Assistant teacher" means a staff member of a child care center
10 who meets requirements specified in section 1, and amendments thereto,
11 and is responsible for assisting the lead teacher in the care of children.

12 (c) "Boarding school" means a facility that provides 24-hour care to
13 school age children, provides education as its primary function and is
14 accredited by an accrediting agency acceptable to the secretary of health
15 and environment.

16 (d) "Child care center" means a facility that meets child care center
17 regulations and provides care and educational activities for children.

18 (e) (1) "Child care facility" means:

19 ~~(+)(A)~~ A facility maintained by a person who has control or custody
20 of one or more children under 16 years of age, unattended by parent or
21 guardian, for the purpose of providing the children with food or lodging,
22 or both, ~~except~~ excluding children in the custody of the secretary for
23 children and families who are placed with a prospective adoptive family
24 pursuant to the provisions of an adoptive placement agreement or who are
25 related to the person by blood, marriage or legal adoption;

26 ~~(2)(B)~~ a children's home, orphanage, maternity home, day care
27 facility or other facility ~~of a type determined by~~ that the secretary
28 determines to require regulation under the provisions of this act;

29 ~~(3)(C)~~ a child placement agency or child care resource and referral
30 agency, or a facility maintained by such an agency for the purpose of
31 caring for children under 16 years of age; or

32 ~~(4)(D)~~ any receiving or detention home for children under 16 years of
33 age provided or maintained by, or receiving aid from, any city or county or
34 the state.

35 (2) "Child care facility" does not include an individual who provides
36 care for less than 35 hours per week to four or fewer children, not more
37 than two of whom may be infants, who are not related to the individual by
38 blood, marriage or legal adoption.

39 ~~(4)(f)~~ "Child care home" means the premises where care is provided
40 for children at a residence.

41 (g) "Child care resource and referral agency" means a business or
42 service conducted, maintained or operated by a person engaged in
43 providing resource and referral services, including information of specific

1 *services provided by child care facilities, to assist parents to find child*
2 *care.*

3 *(h) "Child placement agency" means a business or service*
4 *conducted, maintained or operated by a person engaged in finding homes*
5 *for children by placing or arranging for the placement of such children for*
6 *adoption or foster care.*

7 *(i) (1) "Day care facility" means a child care facility that includes a*
8 *day care home, preschool, child care center, school-age program or other*
9 *facility of a type determined by the secretary to require regulation under*
10 *the provisions of K.S.A. 65-501 et seq., and amendments thereto.*

11 *(2) "Day care facility" does not include:*

12 *(A) A youth development program; or*

13 *(B) an individual who provides care for less than 35 hours per week*
14 *to four or fewer children, not more than two of whom may be infants, who*
15 *are not related to the individual by blood, marriage or legal adoption.*

16 ~~*(e)(j) "Employee" means a person working, regularly volunteering or*~~
17 ~~*residing in a child care facility.*~~

18 *(k) "Infant" means a child who is between two weeks and 12 months*
19 *of age or a child older than 12 months who has not yet learned to walk.*

20 *(l) "Lead teacher" means an individual who meets the requirements*
21 *of section 1, and amendments thereto, and can independently staff any unit*
22 *in a child care center.*

23 *(m) "Licensure year" means the period of time beginning on the*
24 *effective date and ending on the expiration date of a license.*

25 *(n) "Maternity center" means a facility that provides delivery services*
26 *for normal, uncomplicated pregnancies but does not include a medical*
27 *care facility as defined by K.S.A. 65-425, and amendments thereto.*

28 *(o) "Person" means any individual, association, partnership,*
29 *corporation, government, governmental subdivision or other entity.*

30 ~~*(f) "Boarding school" means a facility which provides 24-hour care to*~~
31 ~~*school age children, provides education as its primary function, and is*~~
32 ~~*accredited by an accrediting agency acceptable to the secretary of health*~~
33 ~~*and environment.*~~

34 ~~*(g) "Maternity center" means a facility which provides delivery*~~
35 ~~*services for normal, uncomplicated pregnancies but does not include a*~~
36 ~~*medical care facility as defined by K.S.A. 65-425, and amendments*~~
37 ~~*thereto.*~~

38 ~~*(h) "Employee" means a person working, regularly volunteering or*~~
39 ~~*residing in a child care facility.*~~

40 *(p) "Program director" means the staff member of a child care center*
41 *who meets the requirements of section 1, and amendments thereto, and is*
42 *responsible for implementing and supervising the comprehensive and*
43 *coordinated plan of activities that provide for the education, care,*

1 *protection and development of children who attend a child care center.*

2 (q) *"School-age" means a child who will be at least six years of age*
3 *on or before the first day of September of any school year but is under 16*
4 *years of age.*

5 (r) *"Unit" means the number of children who may be present in one*
6 *group in a child care center.*

7 (s) *"Youth development program" means the same as defined in*
8 *K.S.A. 65-527, and amendments thereto.*

9 Sec. ~~54~~. **50.** On and after July 1, 2026, K.S.A. 2024 Supp. 65-503, as
10 amended by section 50 of this act, is hereby amended to read as follows:
11 65-503. As used in this act:

12 (a) "Act" means article 5 of chapter 65 of the Kansas Statutes
13 Annotated, and amendments thereto.

14 (b) "Assistant teacher" means a staff member of a child care center
15 who meets requirements specified in section ~~4~~ 2, and amendments thereto,
16 and is responsible for assisting the lead teacher in the care of children.

17 (c) "Boarding school" means a facility that provides 24-hour care to
18 school age children, provides education as its primary function and is
19 accredited by an accrediting agency acceptable to the secretary of health
20 and environment.

21 ~~(d) "Child care center" means a facility that meets child care center~~
22 ~~regulations and provides care and educational activities for children.~~

23 ~~(e)~~ (1) "Child care facility" means:

24 (A) A facility maintained by a person who has control or custody of
25 one or more children under 16 years of age, unattended by parent or
26 guardian, for the purpose of providing the children with food or lodging,
27 or both, excluding children in the custody of the secretary for children and
28 families who are placed with a prospective adoptive family pursuant to the
29 provisions of an adoptive placement agreement or who are related to the
30 person by blood, marriage or legal adoption;

31 (B) a children's home, orphanage, maternity home, ~~day care facility~~
32 or other facility that the secretary determines to require regulation under
33 this act;

34 (C) a child placement agency ~~or child care resource and referral~~
35 ~~agency~~; or a facility maintained by such an agency for the purpose of
36 caring for children under 16 years of age; or

37 (D) any receiving or detention home for children under 16 years of
38 age provided or maintained by, or receiving aid from, any city or county or
39 the state.

40 (2) "Child care facility" does not include an individual who provides
41 care for less than 35 hours per week to four or fewer children, not more
42 than two of whom may be infants, who are not related to the individual by
43 blood, marriage or legal adoption.

1 ~~(f)~~ "Child care home" means the premises where care is provided for
2 children at a residence:

3 ~~(g)~~ "Child care resource and referral agency" means a business or
4 service conducted, maintained or operated by a person engaged in
5 providing resource and referral services, including information of specific
6 services provided by child care facilities, to assist parents to find child
7 care:

8 ~~(h)~~(e) "Child placement agency" means a business or service
9 conducted, maintained or operated by a person engaged in finding homes
10 for children by placing or arranging for the placement of such children for
11 adoption or foster care.

12 ~~(i)~~ (1) "Day care facility" means a child care facility that includes a
13 day care home, preschool, child care center, school-age program or other
14 facility of a type determined by the secretary to require regulation under
15 K.S.A. 65-501 et seq., and amendments thereto:

16 ~~(2)~~ "Day care facility" does not include:

17 ~~(A)~~ A youth development program; or

18 ~~(B)~~ an individual who provides care for less than 35 hours per week
19 to four or fewer children, not more than two of whom may be infants, who
20 are not related to the individual by blood, marriage or legal adoption:

21 ~~(j)~~(f) "Employee" means a person working, regularly volunteering or
22 residing in a child care facility.

23 ~~(k)~~(g) "Infant" means a child who is between two weeks and 12
24 months of age or a child older than 12 months who has not yet learned to
25 walk.

26 ~~(l)~~(h) "Lead teacher" means an individual who meets the
27 requirements of section—1 2, and amendments thereto, and can
28 independently staff any unit in a child care center.

29 ~~(m)~~(i) "Licensure year" means the period of time beginning on the
30 effective date and ending on the expiration date of a license.

31 ~~(n)~~(j) "Maternity center" means a facility that provides delivery
32 services for normal, uncomplicated pregnancies but does not include a
33 medical care facility as defined by K.S.A. 65-425, and amendments
34 thereto.

35 ~~(o)~~(k) "Person" means any individual, association, partnership,
36 corporation, government, governmental subdivision or other entity.

37 ~~(p)~~(l) "Program director" means the staff member of a child care
38 center who meets the requirements of section—1 2, and amendments
39 thereto, and is responsible for implementing and supervising the
40 comprehensive and coordinated plan of activities that provide for the
41 education, care, protection and development of children who attend a child
42 care center.

43 ~~(q)~~(m) "School-age" means a child who will be at least six years of

1 age on or before the first day of September of any school year but is under
2 16 years of age.

3 ~~(+)(n)~~ "Unit" means the number of children who may be present in
4 one group in a child care center.

5 ~~(s) "Youth development program" means the same as defined in~~
6 ~~K.S.A. 65-527, and amendments thereto.~~

7 Sec. ~~52.~~ **51.** On and after July 1, 2026, K.S.A. 65-504 is hereby
8 amended to read as follows: 65-504. (a) The secretary of health and
9 environment shall have the power to grant a license to a person to maintain
10 a maternity center or child care facility for children under 16 years of age.
11 A license granted to maintain a maternity center or child care facility shall
12 state the name of the licensee, describe the particular premises in or at
13 which the business shall be carried on, whether it shall receive and care for
14 women or children, and the number of women or children that may be
15 treated, maintained, boarded or cared for at any one time. No greater
16 number of women or children than is authorized in the license shall be
17 kept on those premises and the business shall not be carried on in a
18 building or place not designated in the license. The license shall be kept
19 posted in a conspicuous place on the premises where the business is
20 conducted. ~~A license granted to maintain a day care facility shall have on~~
21 ~~its face an expiration sticker stating the date of expiration of the license.~~

22 The secretary of health and environment shall grant no license in any
23 case until careful inspection of the maternity center or child care facility
24 shall have been made according to the terms of this act and until such
25 maternity center or child care facility has complied with all the
26 requirements of this act. Except as provided by this subsection, no license
27 shall be granted without the approval of the secretary for children and
28 families. The secretary of health and environment may issue, without the
29 approval of the secretary for children and families, a temporary permit to
30 operate for a period not to exceed 90 days upon receipt of an initial
31 application for license. The secretary of health and environment may
32 extend, without the approval of the secretary for children and families, the
33 temporary permit to operate for an additional period not to exceed 90 days
34 if an applicant is not in full compliance with the requirements of this act
35 but has made efforts towards full compliance.

36 (b) (1) In all cases where the secretary for children and families
37 deems it necessary, an investigation of the maternity center or child care
38 facility shall be made under the supervision of the secretary for children
39 and families or other designated qualified agents. For that purpose and for
40 any subsequent investigations they shall have the right of entry and access
41 to the premises of the center or facility and to any information deemed
42 necessary to the completion of the investigation. In all cases where an
43 investigation is made, a report of the investigation of such center or facility

1 shall be filed with the secretary of health and environment.

2 (2) In cases where neither approval or disapproval can be given
3 within a period of 30 days following formal request for such a study, the
4 secretary of health and environment may issue a temporary license without
5 fee pending final approval or disapproval of the center or facility.

6 (c) Whenever the secretary of health and environment refuses to grant
7 a license to an applicant, the secretary shall issue an order to that effect
8 stating the reasons for such denial and within five days after the issuance
9 of such order shall notify the applicant of the refusal. Upon application not
10 more than 15 days after the date of its issuance a hearing on the order shall
11 be held in accordance with ~~the provisions of~~ the Kansas administrative
12 procedure act.

13 (d) When the secretary of health and environment finds upon
14 investigation or is advised by the secretary for children and families that
15 ~~any of the provisions of this act or the provisions of K.S.A. 59-2123, and~~
16 amendments thereto, are being violated, or that the maternity center or
17 child care facility is maintained without due regard to the health, safety or
18 welfare of any woman or child, the secretary of health and environment
19 may issue an order revoking such license after giving notice and
20 conducting a hearing in accordance with ~~the provisions of~~ the Kansas
21 administrative procedure act. The order shall clearly state the reason for
22 the revocation.

23 (e) If the secretary revokes or refuses to renew a license, the licensee
24 who had a license revoked or not renewed shall not be eligible to apply for
25 a license for a period of one year subsequent to the date such revocation or
26 refusal to renew becomes final. If the secretary revokes or refuses to renew
27 a license of a licensee who is a repeat, three or more times, violator of
28 statutory requirements or rules and regulations or is found to have
29 contributed to the death or serious bodily harm of a child under such
30 licensee's care, such licensee shall be permanently prohibited from
31 applying for a new license to provide child care or from seeking
32 employment under another licensee.

33 (f) Any applicant or licensee aggrieved by a final order of the
34 secretary of health and environment denying or revoking a license under
35 this act may appeal the order in accordance with the Kansas judicial
36 review act.

37 ~~Sec. 53.~~ **52.** K.S.A. 65-505 is hereby amended to read as follows: 65-
38 505. (a) (1) The annual fee for a license to conduct a maternity center or
39 child care facility shall be fixed by the secretary of health and environment
40 by rules and regulations in an amount not exceeding the following:

41 ~~(+)~~(A) For a maternity center, \$150;

42 ~~(2)~~(B) for a child placement agency, \$150; *and*

43 ~~(3)~~(C) for a child care resource and referral agency, \$150; ~~and.~~

1 ~~(4)(2) for any other~~ Except for child care facilities listed in paragraph
2 (1), there shall be no annual fee for a license to conduct a child care
3 facility, ~~\$75 plus \$1 times the maximum number of children authorized~~
4 under the license to be on the premises at any one time.

5 (3) The license fee shall be paid to the secretary of health and
6 environment when the license is applied for and annually thereafter. The
7 fee shall not be refundable. No fee shall be charged for a license to
8 conduct a home for children ~~which~~ that is a family foster home as defined
9 in K.A.R. 28-4-311, ~~and amendments thereto. Fees in effect under this~~
10 subsection (a) immediately prior to the effective date of this act shall
11 continue in effect on and after the effective date of this act until a different
12 fee is established by the secretary of health and environment by rules and
13 regulations under this subsection.

14 (b) Any licensee who fails to renew such license within 30 days after
15 the expiration of the license shall pay to the secretary the renewal fee plus
16 a late fee in an amount of \$75 or equal to the fee for the renewal of a
17 license, *whichever is greater*.

18 (c) Any licensee applying for an amended license shall pay to the
19 secretary of health and environment a fee established by rules and
20 regulations of the secretary in an amount not exceeding \$35.

21 (d) The secretary of health and environment shall remit all moneys
22 received by the secretary from fees under the provisions of this section to
23 the state treasurer in accordance with ~~the provisions of~~ K.S.A. 75-4215,
24 and amendments thereto. Upon receipt of each such remittance, the state
25 treasurer, notwithstanding any other law to the contrary, shall deposit the
26 entire amount in the state treasury to the credit of the maternity centers and
27 child care licensing fee fund. All expenditures from the maternity centers
28 and child care licensing fee fund shall be made only for the purposes of
29 article 5 of chapter 65 of the Kansas Statutes Annotated, *and amendments*
30 *thereto*, in accordance with appropriation acts upon warrants of the
31 director of accounts and reports issued pursuant to vouchers approved by
32 the secretary of health and environment or by a person or persons
33 designated by the secretary. Notwithstanding any other law to the contrary,
34 no moneys shall be transferred or otherwise revert from this fund to the
35 state general fund by appropriation act or other act of the legislature.
36 Moneys available under this section by the creation of the maternity
37 centers and child care licensing fee fund shall not be substituted for or
38 used to reduce or eliminate moneys available to the department of health
39 and environment to administer the provisions of article 5 of chapter 65 of
40 the Kansas Statutes Annotated, *and amendments thereto*. Nothing in this
41 act shall be construed to authorize a reduction or elimination of moneys
42 made available by the state to local units of government for the purposes
43 of article 5 of chapter 65 of the Kansas Statutes Annotated, *and*

1 *amendments thereto.*

2 Sec. ~~54~~ **53**. K.S.A. 65-508 is hereby amended to read as follows: 65-
3 508. (a) Any maternity center or child care facility subject to ~~the~~
4 ~~provisions of this act shall:~~

5 (1) Be properly heated, plumbed, lighted and ventilated;

6 (2) have plumbing, water and sewerage systems ~~which~~ *that* conform
7 to all applicable state and local laws; and

8 (3) be operated with strict regard to the health, safety and welfare of
9 any woman or child.

10 (b) (1) Every maternity center or child care facility shall furnish or
11 cause to be furnished for the use of each resident and employee *an*
12 individual towel, ~~wash cloth~~ *washcloth or disposable products*, comb and
13 individual drinking cup or sanitary bubbling fountain, and toothbrushes for
14 all *children* other than infants, and shall keep or require such articles to be
15 kept at all times in a clean and sanitary condition.

16 (2) *Toothbrushes in a day care facility may be used after meals or as*
17 *appropriate.*

18 (3) Every maternity center or child care facility shall comply with all
19 applicable fire codes and rules and regulations of the state fire marshal.

20 (c) (1) The secretary of health and environment with the cooperation
21 of the secretary for children and families shall develop and adopt rules and
22 regulations for the operation and maintenance of maternity centers and
23 child care facilities. The rules and regulations for operating and
24 maintaining maternity centers and child care facilities shall be designed to
25 promote the health, safety and welfare of any woman or child served in
26 such facilities by ensuring safe and adequate physical surroundings,
27 healthful food, adequate handwashing, safe storage of toxic substances and
28 hazardous chemicals, sanitary diapering and toileting, home sanitation,
29 supervision and care of the residents by capable, qualified persons of
30 sufficient number, after-hour care, an adequate program of activities and
31 services, sudden infant death syndrome and safe sleep practices training,
32 prohibition on corporal punishment, crib safety, protection from electrical
33 hazards, protection from swimming pools and other water sources, fire
34 drills, emergency plans, safety of outdoor playground surfaces, door locks,
35 safety gates and transportation and such appropriate parental participation
36 as may be feasible under the circumstances. Boarding schools are excluded
37 from requirements regarding the number of qualified persons who must
38 supervise and provide care to residents.

39 (2) Rules and regulations developed under this subsection shall
40 include provisions for the competent supervision and care of children in
41 day care facilities. For purposes of such rules and regulations, competent
42 supervision as this term relates to children less than five years of age
43 includes, but is not limited to, direction of activities, adequate oversight

1 including sight or sound monitoring, or both, physical proximity to
2 children, diapering and toileting practices; and for all children, competent
3 supervision includes, but is not limited to, planning and supervision of
4 daily activities, safe sleep practices, including, but not limited to, visual or
5 sound monitoring, periodic checking, emergency response procedures and
6 drills, illness and injury response procedures, food service preparation and
7 sanitation, playground supervision, pool and water safety practices.

8 (d) In addition to any rules and regulations adopted under this section
9 for safe sleep practices, child care facilities shall ensure that all of the
10 following requirements are met for children under 12 months of age:

11 (1) A child shall only be placed to sleep on a surface and in an area
12 that has been approved for use as such by the secretary of health and
13 environment;

14 (2) the sleep surface shall be free from soft or loose bedding,
15 including, but not limited to, blankets, bumpers and pillows; and

16 (3) the sleep surface shall be free from toys, including mobiles and
17 other types of play equipment or devices.

18 (e) Child care facilities shall ensure that children over 12 months of
19 age only be placed to sleep on a surface and in an area that has been
20 approved for use as such by the secretary of health and environment.

21 (f) The secretary of health and environment may exercise discretion
22 to make exceptions to requirements in subsections (d) and (e) where
23 special health needs exist.

24 (g) Each child cared for in a child care facility, including children of
25 the person maintaining the facility, shall be required to have current such
26 immunizations as the secretary of health and environment considers
27 necessary. The person maintaining a child care facility shall maintain a
28 record of each child's immunizations and shall provide to the secretary of
29 health and environment such information relating thereto, in accordance
30 with rules and regulations of the secretary, but the person maintaining a
31 child care facility shall not have such person's license revoked solely for
32 the failure to have or to maintain the immunization records required by
33 this subsection.

34 (h) The immunization requirement of subsection (g) shall not apply if
35 one of the following is obtained:

36 (1) Certification from a licensed physician stating that the physical
37 condition of the child is such that immunization would endanger the child's
38 life or health; or

39 (2) a written statement signed by a parent or guardian that the parent
40 or guardian is an adherent of a religious denomination whose teachings are
41 opposed to immunizations.

42 ~~Sec. 55.~~ **54.** On and after July 1, 2026, K.S.A. 65-508, as amended by
43 section 54 of this act, is hereby amended to read as follows: 65-508. (a)

1 Any maternity center or child care facility subject to this act shall:

2 (1) Be properly heated, plumbed, lighted and ventilated;

3 (2) have plumbing, water and sewerage systems that conform to all
4 applicable state and local laws; and

5 (3) be operated with strict regard to the health, safety and welfare of
6 any woman or child.

7 (b) (1) Every maternity center or child care facility shall furnish or
8 cause to be furnished for the use of each resident and employee an
9 individual towel, washcloth or disposable products, comb and individual
10 drinking cup or sanitary bubbling fountain, and toothbrushes for all
11 children other than infants, and shall keep or require such articles to be
12 kept at all times in a clean and sanitary condition.

13 (2) Toothbrushes in a ~~day~~ *child* care facility may be used after meals
14 or as appropriate.

15 (3) Every maternity center or child care facility shall comply with all
16 applicable fire codes and rules and regulations of the state fire marshal.

17 (c) ~~(+)~~ The secretary of health and environment with the cooperation
18 of the secretary for children and families shall develop and adopt rules and
19 regulations for the operation and maintenance of maternity centers and
20 child care facilities. The rules and regulations for operating and
21 maintaining maternity centers and child care facilities shall be designed to
22 promote the health, safety and welfare of any woman or child served in
23 such facilities by ensuring safe and adequate physical surroundings,
24 healthful food, adequate handwashing, safe storage of toxic substances and
25 hazardous chemicals, sanitary diapering and toileting, home sanitation,
26 supervision and care of the residents by capable, qualified persons of
27 sufficient number, after-hour care, an adequate program of activities and
28 services, sudden infant death syndrome and safe sleep practices training,
29 prohibition on corporal punishment, crib safety, protection from electrical
30 hazards, protection from swimming pools and other water sources, fire
31 drills, emergency plans, safety of outdoor playground surfaces, door locks,
32 safety gates and transportation and such appropriate parental participation
33 as may be feasible under the circumstances. Boarding schools are excluded
34 from requirements regarding the number of qualified persons who must
35 supervise and provide care to residents.

36 ~~(2) Rules and regulations developed under this subsection shall~~
37 ~~include provisions for the competent supervision and care of children in~~
38 ~~day care facilities. For purposes of such rules and regulations, competent~~
39 ~~supervision as this term relates to children less than five years of age~~
40 ~~includes, but is not limited to, direction of activities, adequate oversight~~
41 ~~including sight or sound monitoring, or both, physical proximity to~~
42 ~~children, diapering and toileting practices; and for all children, competent~~
43 ~~supervision includes, but is not limited to, planning and supervision of~~

1 ~~daily activities, safe sleep practices, including, but not limited to, visual or~~
2 ~~sound monitoring, periodic checking, emergency response procedures and~~
3 ~~drills, illness and injury response procedures, food service preparation and~~
4 ~~sanitation, playground supervision, pool and water safety practices.~~

5 (d) In addition to any rules and regulations adopted under this section
6 for safe sleep practices, child care facilities shall ensure that all of the
7 following requirements are met for children under 12 months of age:

8 (1) A child shall only be placed to sleep on a surface and in an area
9 that has been approved for use as such by the secretary of health and
10 environment;

11 (2) the sleep surface shall be free from soft or loose bedding,
12 including, but not limited to, blankets, bumpers and pillows; and

13 (3) the sleep surface shall be free from toys, including mobiles and
14 other types of play equipment or devices.

15 (e) Child care facilities shall ensure that children over 12 months of
16 age only be placed to sleep on a surface and in an area that has been
17 approved for use as such by the secretary of health and environment.

18 (f) The secretary of health and environment may exercise discretion
19 to make exceptions to requirements in subsections (d) and (e) where
20 special health needs exist.

21 (g) Each child cared for in a child care facility, including children of
22 the person maintaining the facility, shall be required to have current such
23 immunizations as the secretary of health and environment considers
24 necessary. The person maintaining a child care facility shall maintain a
25 record of each child's immunizations and shall provide to the secretary of
26 health and environment such information relating thereto, in accordance
27 with rules and regulations of the secretary, but the person maintaining a
28 child care facility shall not have such person's license revoked solely for
29 the failure to have or to maintain the immunization records required by
30 this subsection.

31 (h) The immunization requirement of subsection (g) shall not apply if
32 one of the following is obtained:

33 (1) Certification from a licensed physician stating that the physical
34 condition of the child is such that immunization would endanger the child's
35 life or health; or

36 (2) a written statement signed by a parent or guardian that the parent
37 or guardian is an adherent of a religious denomination whose teachings are
38 opposed to immunizations.

39 ~~Sec. 56.~~ **55.** K.S.A. 65-512 is hereby amended to read as follows: 65-
40 512. (a) It is hereby made the duty of the secretary of health and
41 environment to inspect or cause to be inspected at least once every 15
42 months prior to July 1, 2012, and once every 12 months thereafter, every
43 maternity center or child care facility, unless otherwise provided in

1 subsections (b) and (c). For the purpose of inspection, the secretary or the
2 secretary's authorized agent, *as an employee of the secretary or who has a*
3 *contract with the secretary to provide inspections pursuant to K.S.A. 65-*
4 *501 et seq. and who holds a certificate issued pursuant to subsection (c),*
5 shall have the right of entry and access ~~thereto in~~ to every department and
6 to every place in the premises, ~~shall~~ to call for and examine the records
7 ~~which that~~ are required to be kept by the provisions of this act and ~~shall~~ to
8 make and preserve a record of every inspection. The licensee shall give all
9 reasonable information to the authorized agent of the secretary of health
10 and environment and shall afford every reasonable facility for viewing the
11 premises and seeing the patients or children therein. No such patient or
12 child, without the consent of the patient or child, shall be required to be
13 interviewed by any agent unless the agent is an authorized person or a
14 licensed physician.

15 ~~(b)(1) On or after the effective date of this act, the secretary of health~~
16 ~~and environment shall commence the inspection of registered family day~~
17 ~~care homes pursuant to K.S.A. 65-533, and amendments thereto.~~

18 (2) The secretary of health and environment shall conduct an
19 inspection of any child care facility upon receiving a complaint. Any new
20 child care facility shall be inspected prior to issuance of a license. The
21 secretary may conduct an inspection of any child care facility that has a
22 record of repeated complaints or serious violations at any time. *Every 12*
23 *months*, the secretary shall inspect any child care facility that provides
24 services to military families receiving military assistance for child care
25 every 12 months.

26 ~~(c) (1) Except as provided in subsection (b)(2), the following~~
27 ~~categories of child care facilities which were in compliance on the~~
28 ~~effective date of this act are not required to be inspected until July 1, 2011:~~
29 ~~Day care homes, as defined in K.A.R. 28-4-113; group day care homes, as~~
30 ~~defined in K.A.R. 28-4-113; child care centers, as defined in K.A.R. 28-4-~~
31 ~~420; preschools, as defined in K.A.R. 28-4-420; school-age programs, as~~
32 ~~defined in K.A.R. 28-4-576; and drop-in programs, as defined in K.A.R.~~
33 ~~28-4-700. The secretary shall create a surveyor certification and provide a~~
34 ~~minimum of yearly continuing education to qualify for such certification.~~

35 (2) *If a surveyor fails to comply with the certification requirements*
36 *established by the secretary as provided in paragraph (1), the secretary*
37 *may require such surveyor to complete an improvement plan.*

38 (3) *If such surveyor does not satisfactorily complete the improvement*
39 *plan, the secretary may terminate such surveyor's current certification.*

40 (d) *Persons conducting inspections and surveys pursuant to K.S.A.*
41 *65-501 et seq., and amendments thereto, shall hold a certification issued*
42 *by the secretary.*

43 **Sec. 57. 56.** On and after July 1, 2026, K.S.A. 2024 Supp. 65-516 is

1 hereby amended to read as follows: 65-516. (a) No person shall knowingly
2 maintain a child care facility if an employee who, in this state or in other
3 states or the federal government:

4 (1) (A) Has been convicted of a crime that is classified as a person
5 felony under the Kansas criminal code;

6 (B) has been convicted of a felony under K.S.A. 2010 Supp. 21-
7 36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21
8 of the Kansas Statutes Annotated, and amendments thereto, or any felony
9 violation of any provision of the uniform controlled substances act prior to
10 July 1, 2009;

11 (C) has been convicted of any act that is described in articles 34, 35
12 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal,
13 or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, *and*
14 *amendments thereto*, or K.S.A. 21-6104, 21-6325, 21-6326, 21-6418
15 through 21-6422 or 21-6424, and amendments thereto, or been convicted
16 of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301,
17 and amendments thereto, to commit any such act or been convicted of
18 conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302,
19 and amendments thereto, to commit such act, or similar statutes of any
20 other state or the federal government;

21 (D) has been convicted of any act that is described in K.S.A. 21-4301
22 or 21-4301a, prior to their repeal, or K.S.A. 21-6401, and amendments
23 thereto, or similar statutes of any other state or the federal government; or

24 (E) has been convicted of any act that is described in K.S.A. 21-3718
25 or 21-3719, prior to their repeal, or K.S.A. 21-5812, and amendments
26 thereto, or similar statutes of any other state or the federal government;

27 (2) except as provided in subsection (b), has been adjudicated a
28 juvenile offender because of having committed an act that if done by an
29 adult would constitute the commission of a felony and that is a crime
30 against persons, is any act described in articles 34, 35 or 36 of chapter 21
31 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or
32 56 of chapter 21 of the Kansas Statutes Annotated, *and amendments*
33 *thereto*, or K.S.A. 21-6104, 21-6325, 21-6326, 21-6418 through 21-6422
34 or 21-6424, and amendments thereto, or similar statutes of any other state
35 or the federal government, or is any act described in K.S.A. 21-4301 or 21-
36 4301a, prior to their repeal, or K.S.A. 21-6401, and amendments thereto,
37 or similar statutes of any other state or the federal government;

38 (3) has been convicted or adjudicated of a crime that requires
39 registration as a sex offender under the Kansas offender registration act,
40 K.S.A. 22-4901 et seq., and amendments thereto, as a sex offender in any
41 other state or as a sex offender on the national sex offender registry;

42 (4) has committed an act of physical, mental or emotional abuse or
43 neglect or sexual abuse and who is listed in the child abuse and neglect

1 registry maintained by the Kansas department for children and families
2 pursuant to K.S.A. 38-2226, and amendments thereto, or any similar child
3 abuse and neglect registries maintained by any other state or the federal
4 government and:

5 (A) The person has failed to successfully complete a corrective action
6 plan that had been deemed appropriate and approved by the Kansas
7 department for children and families or requirements of similar entities in
8 any other state or the federal government; or

9 (B) the record has not been expunged pursuant to rules and
10 regulations adopted by the secretary for children and families or similar
11 entities in any other state or the federal government;

12 (5) has had a child removed from home based on a court order
13 pursuant to K.S.A. 38-2251, and amendments thereto, in this state, or a
14 court order in any other state based upon a similar statute that finds the
15 child to be deprived or a child in need of care based on a finding of
16 physical, mental or emotional abuse or neglect or sexual abuse and the
17 child has not been returned to the home or the child reaches majority
18 before being returned to the home and the person has failed to
19 satisfactorily complete a corrective action plan approved by the
20 department of health and environment;

21 (6) has had parental rights terminated pursuant to the Kansas juvenile
22 code or K.S.A. 38-2266 through 38-2270, and amendments thereto, or a
23 similar statute of other states;

24 (7) has signed a diversion agreement pursuant to K.S.A. 22-2906 et
25 seq., and amendments thereto, or an immediate intervention agreement
26 pursuant to K.S.A. 38-2346, and amendments thereto, involving a charge
27 of child abuse or a sexual offense; or

28 (8) has an infectious or contagious disease.

29 (b) If the secretary determines *that* there is no safety concern, the
30 secretary may license a family foster home, as defined in K.S.A. 38-134,
31 and amendments thereto, when a person who has been adjudicated as a
32 juvenile offender for an offense described in subsection (a)(2):

33 (1) Was a child in the custody of the secretary and placed with such
34 family foster home by the secretary;

35 (2) is 18 years of age or older;

36 (3) (A) maintains residence at such family foster home; or

37 (B) has been legally adopted by any person who resides at such
38 family foster home; and

39 (4) six months have passed since the date of adjudication.

40 (c) No person shall maintain a child care facility if such person has
41 been found to be a person in need of a guardian or a conservator, or both,
42 as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto.

43 (d) Any person who resides in a child care facility and who has been

1 found to be in need of a guardian or a conservator, or both, shall be
2 counted in the total number of children allowed in care.

3 (e) In accordance with the provisions of this subsection, the secretary
4 of health and environment shall have access to any court orders or
5 adjudications of any court of record, any records of such orders or
6 adjudications, criminal history record information including, but not
7 limited to, diversion agreements, in the possession of the Kansas bureau of
8 investigation and any report of investigations as authorized by K.S.A. 38-
9 2226, and amendments thereto, in the possession of the Kansas department
10 for children and families or court of this state concerning employees in a
11 child care facility. The secretary shall have access to these records for the
12 purpose of determining whether or not the home meets the requirements of
13 K.S.A. 59-2132, 65-503, 65-508 and 65-516, and amendments thereto.

14 (f) In accordance with the provisions of this subsection, the secretary
15 is authorized to conduct national criminal history record checks to
16 determine criminal history on employees in a child care facility. In order to
17 conduct a national criminal history check the secretary shall require
18 fingerprinting for identification and determination of criminal history in
19 accordance with K.S.A. 2024 Supp. 22-4714, and amendments thereto.

20 (g) (1) The secretary shall adopt rules and regulations ~~on or before~~
21 ~~January 1, 2019~~, to fix a fee for fingerprinting ~~persons residing, working or~~
22 ~~regularly volunteering~~ employees in a child care facility, as may be
23 required by the department to reimburse the department for the cost of the
24 fingerprinting.

25 (2) The secretary shall remit all moneys received from the fees
26 established under this section to the state treasurer in accordance with ~~the~~
27 ~~provisions of~~ K.S.A. 75-4215, and amendments thereto. Upon receipt of
28 each such remittance, the state treasurer shall deposit the entire amount in
29 the state treasury to the credit of the child care criminal background and
30 fingerprinting fund.

31 ~~(i)~~(h) The child care criminal background and fingerprinting fund is
32 hereby created in the state treasury to be administered by the secretary of
33 health and environment. All moneys credited to the child care criminal
34 background and fingerprinting fund shall be used to pay local and state
35 law enforcement officers and agencies for the processing of fingerprints
36 and criminal history background checks for the department. All
37 expenditures from the child care criminal background and fingerprinting
38 fund shall be made in accordance with appropriation acts upon warrants of
39 the director of accounts and reports issued pursuant to vouchers approved
40 by the secretary or by a person designated by the secretary.

41 ~~(i)~~(i) The secretary shall notify the child care applicant or licensee,
42 within seven days by certified mail with return receipt requested, when the
43 result of the national criminal history record check or other appropriate

1 review reveals unfitness specified in subsections (a)(1) through (8) with
2 regard to the person who is the subject of the review.

3 ~~(f)(j)~~ No child care facility or the employees thereof, shall be liable
4 for civil damages to any person refused employment or discharged from
5 employment by reason of such facility's or home's compliance with the
6 provisions of this section if such home acts in good faith to comply with
7 this section.

8 ~~(f)(k)~~ For the purpose of subsection (a)(3), a person listed in the child
9 abuse and neglect central registry shall not be prohibited from residing,
10 working or volunteering in a child care facility unless such person has:

11 (1) Had an opportunity to be interviewed and present information
12 during the investigation of the alleged act of abuse or neglect; and

13 (2) been given notice of the agency decision and an opportunity to
14 appeal such decision to the secretary and to the courts pursuant to the
15 Kansas judicial review act.

16 ~~(m)(l)~~ In regard to Kansas issued criminal history records:

17 (1) The secretary of health and environment shall provide in writing
18 information available to the secretary to each child placement agency
19 requesting information under this section, including the information
20 provided by the Kansas bureau of investigation pursuant to this section, for
21 the purpose of assessing the fitness of persons living, working or regularly
22 volunteering in a family foster home under the child placement agency's
23 sponsorship.

24 (2) The child placement agency is considered to be a governmental
25 entity and the designee of the secretary of health and environment for the
26 purposes of obtaining, using and disseminating information obtained under
27 this section.

28 (3) The information shall be provided to the child placement agency
29 regardless of whether the information discloses that the subject of the
30 request has been convicted of any offense.

31 (4) Whenever the information available to the secretary reveals that
32 the subject of the request has no criminal history on record, the secretary
33 shall provide notice thereof in writing to each child placement agency
34 requesting information under this section.

35 (5) Any staff person of a child placement agency who receives
36 information under this subsection shall keep such information confidential,
37 except that the staff person may disclose such information on a need-to-
38 know basis to:

39 (A) The person who is the subject of the request for information;

40 (B) the applicant or operator of the family foster home in which the
41 person lives, works or regularly volunteers;

42 (C) the department of health and environment;

43 (D) the Kansas department for children and families;

1 (E) the department of corrections; and

2 (F) the courts.

3 (6) A violation of the provisions of paragraph (5) shall be an
4 unclassified misdemeanor punishable by a fine of \$100 for each violation.

5 ~~(n) No person shall maintain a day care facility unless such person is~~
6 ~~a high school graduate or the equivalent thereof, except where~~
7 ~~extraordinary circumstances exist, the secretary of health and environment~~
8 ~~may exercise discretion to make exceptions to this requirement. The~~
9 ~~provisions of this subsection shall not apply to any person who was~~
10 ~~maintaining a day care facility on the day immediately prior to July 1,~~
11 ~~2010, or who had an application for an initial license or the renewal of an~~
12 ~~existing license pending on July 1, 2010.~~

13 Sec. 58. 57. K.S.A. 65-527 is hereby amended to read as follows: 65-
14 527. (a) As used in this section:

15 (1) ~~"Drop-in program" means a child care facility that is not located~~
16 ~~in an individual's residence, that serves exclusively school-age children~~
17 ~~and youth and where the operator permits children and youth to arrive at~~
18 ~~and depart from the program at the child or youth's own volition at~~
19 ~~unscheduled times. "Child" means an individual who is enrolled or~~
20 ~~attending kindergarten, is less than 18 years of age, or is 18 years of age~~
21 ~~and has an individualized program plan, is not a volunteer or employee~~
22 ~~and is attending a youth development program.~~

23 (2) ~~"Individualized program plan" means a written goal-oriented~~
24 ~~plan of specialized services for each child with special needs or for each~~
25 ~~juvenile offender attending a day reporting program.~~

26 (3) ~~"Premises" means the location, including the building and~~
27 ~~adjoining grounds, for which the applicant has a temporary permit or~~
28 ~~license to conduct a youth development program.~~

29 (2)(4)(3) "Public recreation center" means any building used by a
30 political or taxing subdivision of this state, or by an agency of such
31 subdivision, for recreation programs that serve children who are less than
32 18 years of age.

33 (3)(5)(4) "School" means any building used for instruction of
34 students enrolled in kindergarten or any of the grades one through 12 by a
35 school district or an accredited nonpublic school.

36 (4)(6)(5) "School-age program" means a child care facility that serves
37 exclusively school-age children and youth but does not include a drop-in
38 youth development program.

39 (7)(6) "Youth development program" means a child care facility
40 where youth activities are conducted that is not located in an individual's
41 residence and that serves children who are enrolled in kindergarten to less
42 than 18 years of age.

43 (b) No license for a drop-in youth development program or school-age

1 program shall be denied, suspended or revoked on the basis that the
2 building does not meet *the* requirements for licensure if the building:

3 (1) Is a public recreation center or school and is used by school-age
4 children and youth *that are of the same age as children and youth who are*
5 ~~cared for in the drop-in~~ *a youth development* program or school-age
6 program;

7 (2) complies, during all hours of operation of ~~the drop-in~~ *a youth*
8 *development* program or school-age program, with the Kansas fire
9 prevention code or a building code that is by law deemed to comply with
10 the Kansas fire prevention code; and

11 (3) complies, except as provided in subsection (c), during all hours of
12 operation of ~~the drop-in~~ *a youth development* program or school-age
13 program, with all local building code provisions that apply to recreation
14 centers; if the building is a public recreation center; or *to* schools; if the
15 building is a school.

16 (c) If the standards that a building is required to comply with
17 pursuant to subsections (b)(2) and (b)(3) conflict or are otherwise
18 inconsistent, then the standards provided by subsection (b)(2) shall control.

19 (d) No license for a ~~drop-in~~ *youth development* program or school-age
20 program that operates in accordance with subsection (b)(1) shall be denied,
21 suspended or revoked based on an environmental deficiency *and shall be*
22 *approved or renewed if:*

23 (1) The environmental deficiency does not pose an imminent risk to
24 children and youth;

25 (2) the environmental deficiency is outside the applicant's or
26 licensee's immediate authority to correct; and

27 (3) the applicant or licensee has notified the public recreation center
28 or school of the environmental deficiency.

29 (e) *Whenever drop-in program or words of like effect, are referred to*
30 *or designated by any statute, rule or regulation, contract or any other*
31 *document, such reference or designation shall apply to a youth*
32 *development program.*

33 (f) **If a licensed youth development program or school age**
34 **program operates on or within the premises of a public or private**
35 **school that is required to pass a fire safety inspection each school year**
36 **pursuant to K.S.A. 31-144(b), and amendments thereto, no additional**
37 **fire safety inspection of the licensed youth development program or**
38 **school age program shall be required by the executive director, the**
39 **state fire marshal, the fire chief or any local political or taxing**
40 **subdivision.**

41 (g) *This section shall expire on June 30, 2026.*

42 Sec. ~~59~~ **58.** On and after July 1, 2026, K.S.A. 65-531 is hereby
43 amended to read as follows: 65-531. ~~On and after July 1, 1996:~~ (a) Except

1 as provided further, information and records—~~which~~ *that* pertain to the
2 immunization status of persons against childhood diseases as required by
3 K.S.A. 65-508, and amendments thereto, may be disclosed and exchanged
4 without a parent or guardian's written release authorizing such disclosure,
5 to the following, who need to know such information to assure compliance
6 with state statutes or to achieve—~~age-appropriate~~ *age-appropriate*
7 immunization status for children:

- 8 (1) Employees of public agencies or departments;
- 9 (2) health records staff of child care facilities, including, but not
10 limited to, facilities licensed by the secretary of health and environment;
- 11 (3) persons other than public employees who are entrusted with the
12 regular care of those under the care and custody of a state agency,
13 including, but not limited to, ~~operators of day care facilities~~, group homes,
14 residential care facilities and adoptive or foster homes; and

15 (4) ~~health care~~ *healthcare* professionals.

16 (b) Notwithstanding K.S.A. 60-427, and amendments thereto, or any
17 other Kansas statute—~~which~~ *that* provides for privileged information
18 between a patient and a ~~health care~~ *healthcare* provider, there shall be no
19 privilege preventing the furnishing of information and records as
20 authorized by this section by any ~~health care~~ *healthcare* provider.

21 (c) Information and records—~~which~~ *that* pertain to the immunization
22 status of persons against childhood diseases as required by K.S.A. 65-508,
23 and amendments thereto, whose parent or guardian has submitted a written
24 statement of religious objection to immunization as provided in K.S.A. 65-
25 508, and amendments thereto, may not be disclosed or exchanged without
26 a parent or guardian's written release authorizing such disclosure.

27 ~~Sec. 60.~~ **59.** On and after July 1, 2026, K.S.A. 72-4161 is hereby
28 amended to read as follows: 72-4161. As used in this act:

29 (a) "Board" means the board of education of any school district.

30 (b) *"Executive director" means the executive director of the Kansas*
31 *office of early childhood.*

32 (c) *"Infant" and "toddler" means any child under the age of eligibility*
33 *for school attendance.*

34 (d) *"Parent education program" means a program developed and*
35 *operated by a board for the purpose of providing expectant parents and*
36 *parents of infants or toddlers or both with information, advice, assistance,*
37 *resource materials, guidance and learning experiences regarding such*
38 *measures as parenting skills and the various styles of parenting, the*
39 *processes and principles of growth and development of children, home*
40 *learning activities designed for infants and toddlers, techniques*
41 *emphasizing a positive approach to discipline, effective methods of*
42 *communicating and interacting with children so as to foster the*
43 *development of self-esteem, strategies for structuring behavioral limits*

1 *and increasing mutual positive regard, and other elements of effective*
2 *parenting that are conducive to the structuring of a home environment in*
3 *which children are encouraged to be successful and productive learners.*

4 (e) "School district" means any public school district organized and
5 operating under the laws of this state.

6 ~~(e) "Parent education program" means a program developed and~~
7 ~~operated by a board for the purpose of providing expectant parents and~~
8 ~~parents of infants or toddlers or both with information, advice, assistance,~~
9 ~~resource materials, guidance and learning experiences regarding such~~
10 ~~measures as parenting skills and the various styles of parenting, the~~
11 ~~processes and principles of growth and development of children, home~~
12 ~~learning activities designed for infants and toddlers, techniques~~
13 ~~emphasizing a positive approach to discipline, effective methods of~~
14 ~~communicating and interacting with children so as to foster the~~
15 ~~development of self-esteem, strategies for structuring behavioral limits and~~
16 ~~increasing mutual positive regard, and other elements of effective~~
17 ~~parenting that are conducive to the structuring of a home environment in~~
18 ~~which children are encouraged to be successful and productive learners.~~

19 (d) "Infant" and "toddler" means any child under the age of eligibility
20 for school attendance.

21 ~~(e) "State board" means the state board of education.~~

22 Sec. 61. 60. On and after July 1, 2026, K.S.A. 72-4162 is hereby
23 amended to read as follows: 72-4162. (a) The board of every school
24 district may:

25 (1) Develop and operate a parent education program;

26 (2) enter into cooperative or interlocal agreements with one or more
27 other boards for the development and operation of a parent education
28 program;

29 (3) contract with private, nonprofit corporations or associations or
30 with any public or private agency or institution, whether located within or
31 outside the state, for the provision of services ~~which~~ *that* are appropriate to
32 a parent education program; and

33 (4) apply for a grant of state moneys to supplement amounts
34 expended by the school district for development and operation of a parent
35 education program.

36 (b) In order to be eligible to receive a grant of state moneys for the
37 development and operation of a parent education program, a board shall
38 submit to the ~~state board~~ *executive director* an application for a grant and a
39 description of the program. The application and description shall be
40 prepared in such form and manner as the ~~state board~~ *executive director*
41 shall require and shall be submitted at a time to be determined and
42 specified by the ~~state board~~ *executive director*. Approval by the ~~state board~~
43 *executive director* of the program and the application is prerequisite to the

1 award of a grant.

2 (c) Each board ~~which~~ *that* is awarded a grant under this act shall
3 make such periodic and special reports of statistical and financial
4 information to the ~~state board~~ *executive director* as ~~it~~ *the executive director*
5 may request.

6 Sec. ~~62~~. **61.** On and after July 1, 2026, K.S.A. 72-4163 is hereby
7 amended to read as follows: 72-4163. (a) The ~~state board~~ *executive*
8 *director* shall adopt rules and regulations for the administration of this act
9 and shall:

10 (1) Establish standards and criteria for reviewing, evaluating and
11 approving parent education programs and applications of school districts
12 for grants;

13 (2) conduct a needs-assessment survey of school districts applying for
14 grants;

15 (3) evaluate and approve parent education programs;

16 (4) establish priorities in accordance with the findings of the needs-
17 assessment survey for the award of grants to school districts and for
18 determination of the amount of such grants;

19 (5) be responsible for awarding grants to school districts; and

20 (6) request of and receive from each school district ~~which~~ *that* is
21 awarded a grant for development and operation of a parent education
22 program reports containing information with regard to the effectiveness of
23 the program.

24 (b) In evaluating and approving parent education programs for the
25 award of grants to school districts, the ~~state board~~ *executive director* shall
26 consider:

27 (1) Prior experiences of school districts in the development and
28 operation of parent education programs;

29 (2) level of effort exhibited by school districts in the development and
30 operation of parent education programs;

31 (3) the amounts budgeted by school districts for the development and
32 operation of parent education programs; and

33 (4) the potential effectiveness of the parent education programs for
34 which applications for the grant of state moneys are made.

35 Sec. ~~63~~. **62.** On and after July 1, 2026, K.S.A. 72-4164 is hereby
36 amended to read as follows: 72-4164. (a) ~~(1) In the 1990-91 school year, to~~
37 ~~the extent that appropriations are available therefor, and on the basis of~~
38 ~~established priorities, the state board shall select for the award of grants of~~
39 ~~state moneys those school districts, not to exceed 100 school districts,~~
40 ~~which the state board determines to be most capable of developing and~~
41 ~~operating successful parent education programs.~~

42 (2) ~~In the 1991-92 school year, to the extent that appropriations are~~
43 ~~available therefor, and on the basis of established priorities, the state board~~

1 shall select for the award of grants of state moneys those school districts,
2 not to exceed 200 school districts, which the state board determines to be
3 most capable of developing and operating successful parent education
4 programs.

5 (3)—In the 1992-93 school year and In each school year thereafter, to
6 the extent that appropriations are available therefor, each school district
7 ~~which~~ *that* has developed and is operating an approved parent education
8 program shall be eligible to receive a grant of state moneys.

9 (b) The amount of a grant *awarded* to a school district shall be
10 determined by the ~~state board~~ *executive director* in accordance with
11 established priorities, but in no event shall such amount exceed the amount
12 of actual expenses incurred by the school district in the development and
13 operation of a program. If the amount of appropriations for parent
14 education programs is insufficient to pay in full the amount *that* each
15 school district is determined to be eligible to receive, the ~~state board~~
16 *executive director* shall prorate the amount appropriated among all school
17 districts in proportion to the amount *that* each such school district is
18 determined to be eligible to receive.

19 Sec. ~~64~~. **63.** On and after July 1, 2026, K.S.A. 72-4166 is hereby
20 amended to read as follows: 72-4166. The ~~state board~~ *executive director*, in
21 cooperation with the Kansas department for children and families, the state
22 department of health and environment, and other appropriate associations
23 and organizations, may provide any board, upon its request therefor, with
24 technical advice and assistance regarding the development and operation
25 of a parent education program or an application for a grant of state
26 moneys; and may make studies and gather and disseminate information
27 regarding materials, resources, procedures and personnel ~~which~~ *that* are or
28 may become available to assist school districts in the development and
29 operation of parent education programs.

30 Sec. ~~65~~. **64.** K.S.A. 38-1901, 38-2103, 65-505, 65-508, 65-512; and
31 65-527 and K.S.A. 2024 Supp. 48-3406 and 65-503 are hereby repealed.

32 Sec. ~~66~~. **65.** On and after July 1, 2026, section 1, as enacted by this
33 act, section 3, as enacted by this act, section 5, as enacted by this act,
34 section 7, as enacted by this act, section 9, as enacted by this act, section
35 11, as enacted by this act, section 13, as enacted by this act, section 15, as
36 enacted by this act, 65-504, 65-508, as amended by section 54 of this act,
37 65-531, 72-4161, 72-4162, 72-4163, 72-4164 and 72-4166 and K.S.A.
38 2024 Supp. 65-503, as amended by section 50 of this act, and 65-516 are
39 hereby repealed.

40 Sec. ~~67~~. **66.** This act shall take effect and be in force from and after
41 its publication in the statute book.