

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

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

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

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

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

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

33 (3) has one of the following:

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

This proposed amendment:

Is intended to clarify that only children under the age of 18 may attend a youth development program. Language is deleted in Sections 40 and 58 defining "child" to include children who are 18 years of age and have an individualized plan program.

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

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

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

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

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

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

41 (2) Completes, during all hours of operation of a youth development  
42 program or school-age program, with the Kansas fire prevention code or a  
43 building code that is by law deemed to comply with the Kansas fire

Strike in lines 13 and 14

Strike in lines 16 through 18.

Renumber paragraphs

1 ~~maintaining a day care facility on the day immediately prior to July 1,~~  
2 ~~2010, or who had an application for an initial license or the renewal of an~~  
3 ~~existing license pending on July 1, 2010.~~

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

6 (1) ~~"Drop-in program" means a child care facility that is not located~~  
7 ~~in an individual's residence, that serves exclusively school-age children~~  
8 ~~and youth and where the operator permits children and youth to arrive at~~  
9 ~~and depart from the program at the child or youth's own volition at~~  
10 ~~unsettled times; "Child" means an individual who is enrolled or~~  
11 ~~attending kindergarten, is less than 18 years of age, or is 18 years of age~~  
12 ~~and has an individualized program plan, is not a volunteer or employee~~  
13 ~~and is attending a youth development program.~~

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

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

20 ~~(3)(4) "Public recreation center" means any building used by a~~  
21 ~~political or taxing subdivision of this state, or by an agency of such~~  
22 ~~subdivision, for recreation programs that serve children who are less than~~  
23 ~~18 years of age.~~

24 ~~(3)(5) "School" means any building used for instruction of students~~  
25 ~~enrolled in kindergarten or any of the grades one through 12 by a school~~  
26 ~~district or an accredited nonpublic school.~~

27 (4)(6) ~~"School-age program" means a child care facility that serves~~  
28 ~~exclusively school-age children and youth but does not include a drop-in~~  
29 ~~youth development program.~~

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

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

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

41 (2) ~~complies, during all hours of operation of the drop-in a youth~~  
42 ~~development program or school-age program, with the Kansas fire~~  
43 ~~prevention code or a building code that is by law deemed to comply with~~

Strike in lines 11 and 12

Strike in lines 14 through 16

Renumber paragraphs