

**SENATE BILL No. 132**

By Committee on Federal and State Affairs

1-30

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

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

28

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

32

- 33 (1) Is at least 18 years of age;
- 34 (2) has a high school diploma or equivalent; and
- 35 (3) has one of the following:

36

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

37

(B) a child development associate credential;

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

2 (D) three months of experience in early childhood education  
3 providing direct care and supervision of children and three semester hours  
4 of academic study or equivalent training in early childhood, child  
5 development or a related academic discipline from a regionally accredited  
6 college or university; or

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

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

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

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

13 (3) has one of the following:

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

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

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

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

24 (iii) a child development associate credential; or

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

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

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

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

36 (ii) a child development associate credential; or

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

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

41 (F) six years of experience in early childhood education providing  
42 direct care and supervision of children or four years of experience in a  
43 licensed child care center providing direct care and supervision of

1 children.

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

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

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

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

10 (3) have one of the following:

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

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

15 (C) a child development associate credential;

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

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

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

26 (g) Each assistant teacher shall:

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

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

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

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

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

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

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

43 (b) Each applicant with a temporary permit and each licensee of a

1 child care center for fewer than 24 children shall hire a program director  
2 who:

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

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

5 (3) has one of the following:

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

9 (B) a child development associate credential;

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

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

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

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

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

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

22 (3) has one of the following:

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

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

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

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

33 (iii) a child development associate credential; or

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

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

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

43 (i) Six months of experience in early childhood education providing

- 1 direct care and supervision of children;
- 2 (ii) a child development associate credential; or
- 3 (iii) a technical certificate or diploma in early childhood;
- 4 (E) a child development associate credential and one year of
- 5 experience in early childhood education providing direct care and
- 6 supervision of children; or
- 7 (F) six years of experience in early childhood education providing
- 8 direct care and supervision of children or four years of experience in a
- 9 licensed child care center providing direct care and supervision of
- 10 children.
- 11 (d) Each individual who has obtained approval of program director
- 12 qualifications by the secretary of the department for health and
- 13 environment or the secretary's designee before December 31, 2025, shall
- 14 be exempt from the requirements in subsections (b)(3) and (c)(3).
- 15 (e) There shall be a lead teacher present with each unit of children in
- 16 the child care center. Each lead teacher shall:
- 17 (1) Be at least 18 years of age;
- 18 (2) have a high school diploma or equivalent; and
- 19 (3) have one of the following:
- 20 (A) An associate degree or a higher degree in early childhood, child
- 21 development or a related academic discipline from a regionally accredited
- 22 college or university;
- 23 (B) a technical certificate or diploma in early childhood;
- 24 (C) a child development associate credential;
- 25 (D) three semester hours of academic study or equivalent training in
- 26 early childhood, child development or a related academic discipline from a
- 27 regionally accredited college or university and three months of experience
- 28 in early childhood education providing direct care and supervision of
- 29 children of the same age range that the lead teacher will be serving; or
- 30 (E) six months of experience in early childhood education providing
- 31 direct care and supervision of children of the same age range that the lead
- 32 teacher will be serving.
- 33 (f) Each program director in a child care center licensed for fewer
- 34 than 24 children may also serve as a lead teacher in the child care center.
- 35 (g) Each assistant teacher shall:
- 36 (1) Have the ability to carry out assigned tasks competently under the
- 37 guidance of another staff member;
- 38 (2) have skills and ability to implement age-appropriate activities;
- 39 (3) have understanding of and the ability to respond appropriately to
- 40 children's needs;
- 41 (4) have the ability to foster positive, healthy relationships with
- 42 children;
- 43 (5) have interpersonal skills necessary to communicate clearly and

1 appropriately; and

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

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

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

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

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

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

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

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

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

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

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

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

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

42 ~~(B)~~(2) a person who maintains a child care home with one provider, if  
43 such provider provides care simultaneously to four infants at any time

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

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

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

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

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

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

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

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

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

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

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

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

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

38 (c) 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. 8. On and after July 1, 2026, section 7, enacted by this act, is  
41 hereby amended to read as follows: (a) A child care center shall meet the  
42 legal requirements of the local jurisdiction where the child care center is  
43 located for fire protection, water supply and sewage disposal.

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

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

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

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

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

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

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

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

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

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

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

42 (2) The secretary may grant licensure to a person to maintain a day  
43 care facility or youth development program in a pilot program under this



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

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

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

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

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

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

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

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

39 (f) 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. 14. On and after July 1, 2026, section 13, as enacted by this act,  
42 is hereby amended to read as follows: (a) (1) Notwithstanding any other  
43 law to the contrary, the ~~secretary of health and environment~~ *executive*

1 *director* may develop and operate pilot programs designed to increase the  
2 availability or capacity of child care facilities in the state.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28       (f) All expenditures shall be made 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 early childhood or the  
31 executive director's designee. The executive director shall submit to the  
32 legislature the annual request for the Kansas office of early childhood for  
33 appropriations. The office's request shall be prepared and submitted in the  
34 form and manner provided by K.S.A. 75-3716 and 75-3717, and  
35 amendments thereto.

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

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

42       (i) (1) On or before July 1, 2025, the governor shall appoint an  
43 interagency transition team to begin office operations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (j) developing a comprehensive strategy to expand access to a greater  
43 quantity of high-quality affordable care and services across every region of

1 Kansas.

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

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

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

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

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

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

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

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

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

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

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

34 (A) Child care assistance;

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

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

38 (D) children's cabinet accountability fund;

39 (E) child care quality;

40 (F) community-based child abuse prevention;

41 (G) child care capacity accelerator grants;

42 (H) children's cabinet administration;

43 (I) early childhood infrastructure;

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

1 do so is delegated by the executive director.

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

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

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

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

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

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

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

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

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

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

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

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

39 (5) The division of child care may enter into agreements with the  
40 Kansas department for children and families for the administration of child  
41 care subsidy payments. If executed, such agreements shall require that the  
42 secretary for children and families determine an applicant's eligibility for  
43 the child care subsidy according to K.S.A. 39-709, and amendments

1 thereto, and provide information pertaining to such eligible applicants to  
2 the division for administration of such benefits.

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

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

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

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

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

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

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

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

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

41 (2) The Kansas children's cabinet shall be administered by the  
42 director of the Kansas children's cabinet, who shall be in the unclassified  
43 service under the Kansas civil service act and appointed by the executive



1 director.

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

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

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

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

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

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

1 such state agency or any officer affected.

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

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

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

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

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

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

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

40 (3) a summer instructional camp that:

41 (A) Is operated by a Kansas educational institution as defined in  
42 K.S.A. 74-32,120, and amendments thereto, or a postsecondary  
43 educational institution as defined in K.S.A. 74-3201b, and amendments

1 thereto;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (12) "Program director" means the staff member of a child care center  
43 who meets the requirements of section 2, and amendments thereto, and

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

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

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

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

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

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

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

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

1 executive director of the Kansas office of early childhood.

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

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

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

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

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

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

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

43 (1) For a child care resource and referral agency, \$150; and

1 (2) for any day care facility subject to this act, there shall be no  
2 annual fee for a license to conduct a child care facility.

3 (b) The license fee shall be paid to the executive director of the  
4 Kansas office of early childhood when the license is applied for and  
5 annually thereafter. The fee shall not be refundable. Fees in effect under  
6 subsection (a) immediately prior to July 1, 2026, shall continue in effect on  
7 and after July 1, 2026, until a different fee is established by the executive  
8 director of the Kansas office of early childhood by rules and regulations.

9 (c) Any licensee who fails to renew such license within 30 days after  
10 the expiration of the license shall pay to the executive director the renewal  
11 fee plus a late fee in an amount of \$75 or an amount equal to the fee for  
12 the renewal of a license, whichever is greater.

13 (d) Any licensee applying for an amended license shall pay to the  
14 executive director of the Kansas office of early childhood a fee established  
15 by rules and regulations of the executive director in an amount of not to  
16 exceed \$35.

17 (e) There is hereby created the day care facilities and child care  
18 resource and referral agencies licensing fee fund. The executive director of  
19 the Kansas office of early childhood shall remit all moneys received by the  
20 executive director from fees under this section to the state treasurer in  
21 accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt  
22 of each such remittance, the state treasurer, notwithstanding any other law  
23 to the contrary, shall deposit the entire amount in the state treasury to the  
24 credit of the day care facilities and child care resource and referral  
25 agencies licensing fee fund. All expenditures from the day care facilities  
26 and child care resource and referral agencies licensing fee fund shall be  
27 made only for the purposes of this act in accordance with appropriation  
28 acts upon warrants of the director of accounts and reports issued pursuant  
29 to vouchers approved by the executive director of the Kansas office of  
30 early childhood or by the executive director's designee. Notwithstanding  
31 any other law to the contrary, no moneys shall be transferred or otherwise  
32 revert from this fund to the state general fund by appropriation act or other  
33 act of the legislature. Moneys available under this section by the creation  
34 of the day care facilities or child care resource and referral agencies  
35 licensing fee fund shall not be substituted for or used to reduce or  
36 eliminate moneys available to the Kansas office of early childhood to  
37 administer this act. Nothing in this act shall be construed to authorize a  
38 reduction or elimination of moneys made available by the state to local  
39 units of government for the purposes of this act.

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

41 New Sec. 27. (a) The executive director of the Kansas office of early  
42 childhood shall serve notice of the issuance, limitation, modification,  
43 suspension or revocation of a license to conduct a day care facility to the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 maintain the immunization records required by this subsection.

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

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

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

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

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

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

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

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

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

43 (2) If a surveyor fails to comply with the certification requirements

1 established by the executive director pursuant to paragraph (1), the  
2 executive director may require such surveyor to complete an improvement  
3 plan.

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

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

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

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

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

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

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

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

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

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

43 (1) (A) Has been convicted of a crime that is classified as a person

1 felony under the Kansas criminal code;

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

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

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

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

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

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

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

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

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

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

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

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

22 (8) has an infectious or contagious disease.

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

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

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

42 (e) In accordance with this subsection, the executive director is  
43 authorized to conduct national criminal history record checks to determine

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

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

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

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

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

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

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

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

41 (2) been given notice of the agency decision and an opportunity to  
42 appeal such decision to the executive director and to the courts pursuant to  
43 the Kansas judicial review act.

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

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

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

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

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

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

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

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

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

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

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

39 New Sec. 38. (a) Records in the possession of the executive director  
40 of early childhood or such director's agents regarding day care facilities  
41 shall not be released publicly in a manner that would identify individuals,  
42 except that individual names of licensees, applicants, facilities and day  
43 care facilities may be released. Nothing in this section prohibits the release

1 of any information as required by law.

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

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

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

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

10 (4) any disaster or emergency entity.

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

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

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

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

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

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

1 assessed under this section shall not exceed \$500. In the case of a  
2 continuing violation, every day such violation continues shall be deemed a  
3 separate violation.

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

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

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

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

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

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

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

24 (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 (6) "School-age program" means a child care facility that serves  
28 exclusively school-age children and youth but does not include a youth  
29 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 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 who are cared  
39 for in a youth development program or school-age program;

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



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

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

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

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

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

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

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

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

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

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

37 (i) This section shall take effect on July 1, 2026.

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

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

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

1 (1) "Day care home" means a child care home as defined in section  
2 24, and amendments thereto, or a group day care home.

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

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

14 (c) Each day care license shall contain a statement in bold print that  
15 smoking is prohibited within a room, enclosed area or other enclosed  
16 space of the facility or facilities of the day care home under the conditions  
17 specified in subsection (b). The statement shall be phrased in substantially  
18 the same language as subsection (b). The license shall be posted in a  
19 conspicuous place in the facility or facilities.

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

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

27 (f) In addition to any civil fine that may be levied pursuant to  
28 subsection (e), any day care home that violates any provision of this  
29 section may also be subject to criminal punishment pursuant to K.S.A. 21-  
30 6112, and amendments thereto.

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

32 New Sec. 43. (a) Except as otherwise provided, information and  
33 records pertaining to the immunization status of persons against childhood  
34 diseases as required by section 29, and amendments thereto, may be  
35 disclosed and exchanged without a parent or guardian's written release  
36 authorizing such disclosure to the following individuals and groups who  
37 need to know such information in order to assure compliance with state  
38 statutes or to achieve age-appropriate immunization status for children:

39 (1) Employees of public agencies or departments;

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

43 (3) persons other than public employees who are entrusted with the

1 regular care of those under the care and custody of a state agency,  
2 including, but not limited to, operators of day care facilities, group homes,  
3 residential care facilities and adoptive or foster homes; and

4 (4) healthcare professionals.

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

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

12 New Sec. 44. (a) The executive director of the Kansas office of early  
13 childhood shall establish or cause to be established an online information  
14 dissemination system that is accessible to the public, including names of  
15 licensees, applicants and history of citations and substantiated findings.  
16 The executive director shall adopt rules and regulations that are consistent  
17 with the requirements for the receipt of child care ARRA funds and  
18 provide for the establishment of an online information dissemination  
19 system in accordance with this subsection.

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

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

27 New Sec. 46. (a) Licensed youth development programs and school-  
28 age programs that operate on or within premises of a public or private  
29 school licensed by the state of Kansas shall be exempt from the  
30 requirements of K.S.A. 65-508(b)(3), and amendments thereto, and section  
31 29(b)(3), and amendments thereto.

32 (b) Such premises shall be governed by a memorandum of  
33 understanding concerning the provisions of school inspections between the  
34 state fire marshal and the local political or taxing subdivision.

35 Sec. 47. K.S.A. 38-1901 is hereby amended to read as follows: 38-  
36 1901. On and after ~~the effective date of this act~~ *July 1, 2025*:

37 (a) (1) The advisory committee on children and families is hereby  
38 redesignated and shall be known and referred to as the Kansas children's  
39 cabinet.

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

42 (b) (1) The Kansas children's cabinet shall consist of ~~15~~ 18 members  
43 as follows:

- 1       ~~(1)~~(A) *The executive director of the Kansas office of early childhood;*  
 2       (B) The secretary of health and environment, or the secretary's  
 3       designee;  
 4       ~~(2)~~(C) the secretary for children and families, or the secretary's  
 5       designee;  
 6       ~~(3)~~(D) a member of the state board of regents selected by the state  
 7       board of regents, or such member's designee;  
 8       ~~(4)~~(E) the commissioner of education, or the commissioner's  
 9       designee;  
 10       ~~(5)~~(F) ~~the commissioner of juvenile justice~~ *secretary of corrections,*  
 11       or the ~~commissioner's~~ *secretary's* designee;  
 12       ~~(6)~~(G) a member of the Kansas supreme court selected by the Kansas  
 13       supreme court, or such member's designee;  
 14       ~~(7)~~(H) five members of the public *appointed by the governor* who are  
 15       interested in and knowledgeable about the needs of children and families  
 16       ~~shall be appointed by the governor, which and who,~~ subject to ~~the~~  
 17       ~~provisions of~~ subsection (e), may include persons who are children's  
 18       advocates, members of organizations with experience in programs that  
 19       benefit children or other individuals who have experience with children's  
 20       programs and services;  
 21       ~~(8)~~(I) ~~one person~~ *legislative member* appointed by the speaker of the  
 22       house of representatives;  
 23       ~~(9)~~(J) ~~one legislative member~~ *appointed by the majority leader of the*  
 24       *house of representatives;*  
 25       (L) ~~one person~~ *legislative member* appointed by the minority leader of  
 26       the house of representatives;  
 27       ~~(10)~~(M) ~~one person~~ *legislative member* appointed by the president of  
 28       the senate; ~~and~~  
 29       ~~(11)~~(N) ~~one legislative member~~ *appointed by the majority leader of*  
 30       *the senate; and*  
 31       (O) ~~one person~~ *legislative member* appointed by the minority leader  
 32       of the senate.  
 33       (2) The members designated by ~~clauses (1), (2), (3), (4), (5) and (6)~~  
 34       ~~of this subsection~~ *subparagraphs (1)(A) through (1)(G)* shall be nonvoting  
 35       members of the Kansas children's cabinet. All other members shall be  
 36       voting members.  
 37       (c) (1) ~~Except as provided in paragraph (2) of this subsection, the~~  
 38       ~~members of the Kansas children's cabinet appointed by the governor,~~  
 39       ~~speaker, president and minority leaders shall serve for terms of four years~~  
 40       ~~and until their successors are appointed and qualified. The governor~~ *voting*  
 41       *members* shall appoint a chairperson of the ~~committee~~ *cabinet* from among  
 42       the *voting members* ~~appointed by the governor.~~ The chairperson shall serve  
 43       in such office ~~throughout such member's current term of office and until a~~

1 successor is appointed and qualified. The members of the Kansas  
 2 children's cabinet may elect any additional officers from among its  
 3 members necessary to carry out the duties and functions of the Kansas  
 4 children's cabinet.

5 ~~(2) Of the members first appointed by the governor, two shall be~~  
 6 ~~appointed for terms of two years, two shall be appointed for terms of three~~  
 7 ~~years and the member selected by the governor to be the chairperson shall~~  
 8 ~~be appointed for a term of four years. The member first appointed by the~~  
 9 ~~speaker of the house of representatives shall be appointed for a term of one~~  
 10 ~~year, the member first appointed by the minority leader of the house of~~  
 11 ~~representatives shall be appointed for a term of two years, the member first~~  
 12 ~~appointed by the president of the senate shall be appointed for a term of~~  
 13 ~~three years and the member first appointed by the minority leader of the~~  
 14 ~~senate shall be appointed for a term of four years. The governor shall~~  
 15 ~~designate the term for which each of the members first appointed by the~~  
 16 ~~governor shall serve. Each voting member shall serve at the pleasure of~~  
 17 ~~such voting member's appointing authority.~~

18 (3) All members appointed to fill vacancies in the membership of the  
 19 Kansas children's cabinet and all members appointed to succeed members  
 20 appointed to membership on the Kansas children's cabinet shall be  
 21 appointed in like manner as that provided for the original appointment of  
 22 the member succeeded. ~~All members appointed to fill vacancies of a~~  
 23 ~~member of the Kansas children's cabinet appointed by the governor, the~~  
 24 ~~speaker of the house of representatives, the minority leader of the house of~~  
 25 ~~representatives, the president of the senate or the minority leader of the~~  
 26 ~~senate shall be appointed to fill the unexpired term of such member.~~

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

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

34 (2) ~~For purposes of~~ *As used in this subsection;*

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

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

40 ~~(B)(ii)~~ (ii) If an individual or an individual's spouse, either individually or  
 41 collectively, has received during the preceding calendar year compensation  
 42 ~~which~~ *that* is or will be required to be included as taxable income on  
 43 federal income tax returns of the individual and spouse in an aggregate

1 amount of \$2,000 from any business or combination of businesses, the  
2 individual has a substantial interest in that business or combination of  
3 businesses.

4 ~~(C)~~(iii) If an individual or an individual's spouse holds the position of  
5 officer, director, associate, partner or proprietor of any business, the  
6 individual has a substantial interest in ~~that~~ *the* business, irrespective of that  
7 amount of compensation received by the individual or the individual's  
8 spouse.

9 ~~(D)~~(iv) If an individual or an individual's spouse receives  
10 compensation ~~which~~ *that* is a portion or percentage of each separate fee or  
11 commission paid to a business or combination of businesses, the individual  
12 has a substantial interest in any client or customer who pays fees or  
13 commissions to the business or combination of businesses from which fees  
14 or commissions the individual or the individual's spouse, either  
15 individually or collectively, received an aggregate of \$2,000 or more in the  
16 preceding calendar year.

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

19 ~~(4) As used in this subsection, (C)~~ "Business" means any entity  
20 ~~which~~ *that* is eligible to receive funds from the children's initiatives fund,  
21 as provided in K.S.A. 38-2102, and amendments thereto, from the  
22 children's initiatives accountability fund, established by K.S.A. 38-2103,  
23 and amendments thereto, or from the family and children trust account of  
24 the family and children investment fund, as provided in K.S.A. 38-1808,  
25 and amendments thereto.

26 (f) The Kansas children's cabinet shall meet upon the call of the  
27 chairperson as necessary to carry out the duties and functions of the  
28 Kansas children's cabinet. A quorum of the Kansas children's cabinet shall  
29 be five voting members.

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

32 (1) Assist the governor *and the executive director of the Kansas*  
33 *office of early childhood* in developing and implementing a coordinated,  
34 comprehensive service delivery system to serve the children and families  
35 of Kansas;

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

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

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

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

1 (6) encourage and facilitate joint planning and coordination between  
2 the public and private sectors to better serve the needs of children and  
3 families; ~~and~~

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

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

10 (h) Members of the Kansas children's cabinet shall not be paid  
11 compensation; but shall receive subsistence allowances, mileage and other  
12 expenses as provided by K.S.A. 75-3223, and amendments thereto. The  
13 subsistence allowances, mileage and other expenses as provided in K.S.A.  
14 75-3223, and amendments thereto, shall be paid from available  
15 appropriations of the ~~Kansas department for children and families~~ *Kansas*  
16 *office of early childhood*, except that expenses of members who are  
17 employed by a state agency shall be reimbursed by that state agency.

18 ~~(i) On the effective date of this act, the advisory committee on~~  
19 ~~children and families is hereby abolished and all powers, duties, functions,~~  
20 ~~records and other property of the advisory committee on children and~~  
21 ~~families are hereby transferred to the Kansas children's cabinet created by~~  
22 ~~this section. Except as otherwise specifically provided by this act, the~~  
23 ~~Kansas children's cabinet shall be a continuation of the advisory~~  
24 ~~committee on children and families as it existed prior to the effective date~~  
25 ~~of this act.~~

26 Sec. 48. K.S.A. 38-2103 is hereby amended to read as follows: 38-  
27 2103. (a) The Kansas children's cabinet established by K.S.A. 38-1901,  
28 and amendments thereto, shall advise the governor ~~and~~, the legislature *and*  
29 *the executive director of the Kansas office of early childhood* regarding the  
30 uses of the moneys credited to the children's initiatives fund.

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

33 (c) The Kansas children's cabinet shall review, assess and evaluate all  
34 uses of the moneys in the children's initiatives fund. The Kansas children's  
35 cabinet shall study and shall initiate studies, assessments and evaluations,  
36 by contract or otherwise, through institutions of higher education and other  
37 appropriate research entities to identify best practices and to measure and  
38 otherwise determine the efficiency and efficacy of practices that are  
39 utilized in programs, projects, improvements, services and other purposes  
40 for which moneys are allocated or appropriated from the children's  
41 initiatives fund. The costs of such reviews, assessments and evaluations  
42 shall be paid from the children's initiatives accountability fund.

43 ~~(e)~~(d) There shall be conducted performance audits and other audit

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

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

41 ~~(e)~~(f) All moneys credited to the children's initiatives accountability  
42 fund shall be used for the purposes of providing funding for assessment  
43 and evaluation of programs, projects, improvements, services and other



1 purposes for which moneys are allocated or appropriated from the  
2 children's initiatives fund. All expenditures from the children's initiatives  
3 accountability fund shall be made in accordance with appropriation acts  
4 upon warrants of the director of accounts and reports issued pursuant to  
5 vouchers approved in the manner prescribed by law.

6 (f)(g) On or before the 10<sup>th</sup> day of each month, the director of  
7 accounts and reports shall transfer from the state general fund to the  
8 Kansas endowment for youth fund interest earnings based on:

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

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

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

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

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

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

21 (2) "Complete application" means the licensing body has received all  
22 forms, fees, documentation, a signed affidavit stating that the application  
23 information, including necessary prior employment history, is true and  
24 accurate and any other information required or requested by the licensing  
25 body for the purpose of evaluating the application, consistent with this  
26 section and the rules and regulations adopted by the licensing body  
27 pursuant to this section. If the licensing body has received all such forms,  
28 fees, documentation and any other information required or requested by  
29 the licensing body, an application shall be deemed to be a complete  
30 application even if the licensing body has not yet received a criminal  
31 background report from the Kansas bureau of investigation. An application  
32 by a military spouse of an active military servicemember shall be  
33 considered a "complete application" without the submission of fees,  
34 pursuant to ~~the provisions of~~ subsection (u).

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

41 (4) "Licensing body" means an official, agency, board or other entity  
42 of the state that authorizes individuals to practice a profession in this state  
43 and issues a license, registration, certificate, permit or other authorization

1 to an individual so authorized.

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

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

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

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

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

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

17 (b) Notwithstanding any other provision of law, any licensing body  
18 shall, upon submission of a complete application, issue a paper-based and  
19 verified electronic license, registration or certification to an applicant as  
20 provided by this section, so that the applicant may lawfully practice the  
21 person's occupation. Any licensing body may satisfy any requirement  
22 under this section to provide a paper-based license, registration,  
23 certification or permit in addition to an electronic license, registration,  
24 certification or permit by issuing such electronic credential to the applicant  
25 in a format that permits the applicant to print a paper copy of such  
26 electronic credential. Such paper copy shall be considered a valid license,  
27 registration, certification or permit for all purposes.

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

32 (1) If the applicant qualifies under the applicable Kansas licensure,  
33 registration or certification by endorsement, reinstatement or reciprocity  
34 statutes, then pursuant to applicable licensure, registration or certification  
35 by endorsement, reinstatement or reciprocity statutes of the licensing body  
36 of this state for the license, registration or certification within 15 days from  
37 the date a complete application was submitted if the applicant is a military  
38 servicemember or military spouse or within 45 days from the date a  
39 complete application was submitted for all other applicants; or

40 (2) if the applicant does not qualify under the applicable licensure,  
41 registration or certification by endorsement, reinstatement or reciprocity  
42 statutes of the licensing body of this state, or if the Kansas professional  
43 practice act does not have licensure, registration or certification by

1 endorsement, reinstatement or reciprocity statutes, then the applicant shall  
2 receive a license, registration or certification as provided herein if, at the  
3 time of application, the applicant:

4 (A) Holds a valid current license, registration or certification in  
5 another state, district or territory of the United States with licensure,  
6 registration or certification requirements that the licensing body  
7 determines authorize a similar scope of practice as those established by the  
8 licensing body of this state, or holds a certification issued by another state  
9 for practicing the occupation but this state requires an occupational  
10 license, and the licensing body of this state determines that the  
11 certification requirements certify a similar scope of practice as the  
12 licensing requirements established by the licensing body of this state;

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

15 (C) has not committed an act in any jurisdiction that would have  
16 constituted grounds for the limitation, suspension or revocation of the  
17 license, certificate or registration, or that the applicant has never been  
18 censured or had other disciplinary action taken or had an application for  
19 licensure, registration or certification denied or refused to practice an  
20 occupation for which the applicant seeks licensure, registration or  
21 certification;

22 (D) has not been disciplined by a licensing, registering, certifying or  
23 other credentialing entity in another jurisdiction and is not the subject of  
24 an unresolved complaint, review procedure or disciplinary proceeding  
25 conducted by a licensing, registering, certifying or other credentialing  
26 entity in another jurisdiction nor has surrendered their membership on any  
27 professional staff in any professional association or society or faculty for  
28 another state or jurisdiction while under investigation or to avoid adverse  
29 action for acts or conduct similar to acts or conduct that would constitute  
30 grounds for disciplinary action in a Kansas practice act;

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

33 (F) provides proof of solvency, financial standing, bonding or  
34 insurance if required by the licensing body of this state, but only to the  
35 same extent as required of any applicant with similar credentials or  
36 experience;

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

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

41 Upon receiving a complete application and the provisions of subsection  
42 (c)(2) apply and have been met by the applicant, the licensing body shall  
43 issue the license, registration or certification within 15 days from the date

1 a complete application was submitted by a military servicemember or  
2 military spouse, or within 45 days from the date a complete application  
3 was submitted by an applicant who is not a military servicemember or  
4 military spouse, to the applicant on a probationary basis, but may revoke  
5 the license, registration or certification at any time if the information  
6 provided in the application is found to be false. The probationary period  
7 shall not exceed six months. Upon completion of the probationary period,  
8 the license, certification or registration shall become a non-probationary  
9 license, certification or registration.

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

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

21 (1) Worked in a state that does not use an occupational license,  
22 registration, certification or private certification to regulate an occupation,  
23 but this state uses an occupational license, registration or certification to  
24 regulate the occupation;

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

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

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

32 (1) Holds a private certification and worked in a state that does not  
33 use an occupational license or government certification to regulate an  
34 occupation, but this state uses an occupational license or government  
35 certification to regulate the occupation;

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

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

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

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

41 (g) An applicant licensed, registered or certified under this section  
42 shall be entitled to the same rights and subject to the same obligations as  
43 are provided by the licensing body for Kansas residents, except that

1 revocation or suspension of an applicant's license, registration or  
2 certificate in the applicant's state of residence or any jurisdiction in which  
3 the applicant held a license, registration or certificate shall automatically  
4 cause the same revocation or suspension of such applicant's license,  
5 registration or certificate in Kansas. No hearing shall be granted to an  
6 applicant where such applicant's license, registration or certificate is  
7 subject to such automatic revocation or suspension, except for the purpose  
8 of establishing the fact of revocation or suspension of the applicant's  
9 license, registration or certificate by the applicant's state of residence or  
10 jurisdiction in which the applicant held a license, registration or certificate.

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

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

39 (j) Any testing, continuing education or training requirements  
40 administered under subsection (d), (h) or (i) shall be limited to Kansas law  
41 that regulates the occupation and that are materially different from or  
42 additional to the law of another state, or shall be limited to any materially  
43 different or additional body of knowledge or skill required for the

1 occupational license, registration or certification in Kansas.

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

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

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

19 (n) Notwithstanding any other provision of law, during a state of  
20 emergency declared by the legislature, a licensing body may grant a  
21 temporary emergency license to practice any profession licensed, certified,  
22 registered or regulated by the licensing body to an applicant whose  
23 qualifications the licensing body determines to be sufficient to protect  
24 health and safety of the public and may prohibit any unlicensed person  
25 from practicing any profession licensed, certified, registered or regulated  
26 by the licensing body.

27 ~~(o) Not later than January 1, 2025,~~ Licensing bodies shall provide  
28 paper-based and verified electronic credentials to persons regulated by the  
29 licensing body. A licensing body may prescribe the format or requirements  
30 of the electronic credential to be used by the licensing body. Any statutory  
31 or regulatory requirement to display, post or produce a credential issued by  
32 a licensing body may be satisfied by the proffer of an electronic credential  
33 authorized by the licensing body. A licensing body may use a third-party  
34 electronic credential system that is not maintained by the licensing body.

35 ~~(p) On or before January 1, 2025, and~~ Subject to appropriations  
36 ~~therefore~~ *therefor*, the secretary of administration shall develop and  
37 implement a uniform or singular license verification portal for the purpose  
38 of verifying or reporting license statuses such as credentials issued,  
39 renewed, revoked or suspended by licensing bodies or that have expired or  
40 otherwise changed in status. The secretary of administration may utilize  
41 the services or facilities of a third party for the central electronic record  
42 system. The central electronic record system shall comply with the  
43 requirements adopted by the information technology executive council

1 pursuant to K.S.A. 75-7203, and amendments thereto. ~~Beginning January~~  
2 ~~1, 2025,~~ Each licensing body shall be able to integrate with the uniform or  
3 singular license verification portal in the manner and format required by  
4 the secretary of administration indicating any issuance, renewal,  
5 revocation, suspension, expiration or other change in status of an  
6 electronic credential that has occurred. No charge for the establishment or  
7 maintenance of the uniform or singular license verification portal shall be  
8 imposed on any licensing body or any person with a license, registration,  
9 certification or permit issued by a licensing body. The centralized  
10 electronic credential data management systems shall include an  
11 instantaneous verification system that is operated by the licensing body's  
12 respective secretary, or the secretary's designee, or the secretary's third-  
13 party agent on behalf of the licensing body for the purpose of instantly  
14 verifying the authenticity and validity of electronic credentials issued by  
15 the licensing body. Centralized electronic credential data management  
16 systems shall maintain an auditable record of credentials issued by each  
17 licensing body.

18 (q) Nothing in this section shall be construed as prohibiting or  
19 preventing a licensing body from developing, operating, maintaining or  
20 using a separate electronic credential system of the licensing body or of a  
21 third party in addition to making the reports to the central electronic record  
22 system required by subsection (p) or participating in a multistate compact  
23 or a reciprocal licensure, registration or certification process as long as the  
24 separate electronic credential system of the licensing body integrates with  
25 the uniform or singular license verification portal.

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

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

32 (t) The state board of healing arts and the state board of technical  
33 professions, with respect to an applicant who is seeking a license to  
34 practice professional engineering or engage in the practice of engineering,  
35 as defined in K.S.A. 74-7003, and amendments thereto, may deny an  
36 application for licensure, registration or certification, or decline to grant a  
37 temporary or probationary license, if the board determines the applicant's  
38 qualifications are not substantially equivalent to those established by the  
39 board. Such boards shall not otherwise be exempt from ~~the provisions of~~  
40 this act.

41 (u) Notwithstanding any other provision of law to the contrary,  
42 applicants who are military spouses of active military service members  
43 shall be exempt from all fees assessed by any licensing body to obtain an

1 occupational credential in Kansas and renew such credential including  
 2 initial or renewal application, licensing, registration, certification,  
 3 endorsement, reciprocity or permit fees and any criminal background  
 4 report fees, whether assessed by the licensing body or another agency.  
 5 Licensing bodies shall adopt rules and regulations to implement ~~the~~  
 6 ~~provisions of~~ this subsection.

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

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

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

39 (x) ~~(1) Commencing on July 1, 2021, and each year thereafter, Each~~  
 40 ~~licensing body listed in subsection (u)(1)(v)(1) through (21)(22) shall~~  
 41 provide a report for the period of July 1 through June 30 to the director of  
 42 legislative research by August 31 of each year, providing information  
 43 requested by the director of legislative research to fulfill the requirements



1 of this subsection. The director of legislative research shall develop the  
 2 report format, prepare an analysis of the reports and submit and present the  
 3 analysis to the office of the governor, the *house of representatives*  
 4 committee on commerce, labor and economic development ~~of the house of~~  
 5 ~~representatives or any successor committee thereof~~, the senate committee  
 6 on commerce ~~of the senate or any successor committee thereof~~, the house  
 7 of representatives committee on appropriations ~~of the house of~~  
 8 ~~representatives or any successor committee thereof~~ and the senate  
 9 committee on ways and means ~~of the senate or any successor committee~~  
 10 ~~thereof~~ by January 15 of the succeeding year. The director's report may  
 11 provide any analysis the director deems useful and shall provide the  
 12 following items, detailed by applicant type, including military  
 13 servicemember, military spouse and non-military individual:

- 14 ~~(1)(A)~~ The number of applications received under ~~the provisions of~~  
 15 this section;  
 16 ~~(2)(B)~~ the number of applications granted under this section;  
 17 ~~(3)(C)~~ the number of applications denied under this section;  
 18 ~~(4)(D)~~ the average time between receipt of the application and  
 19 completion of the application;  
 20 ~~(5)(E)~~ the average time between receipt of a complete application and  
 21 issuance of a license, certification or registration; and  
 22 ~~(6)(F)~~ identification of applications submitted under this section  
 23 where the issuance of credentials or another determination by the licensing  
 24 body was not made within the time limitations pursuant to this section and  
 25 the reasons for the failure to meet such time limitations.

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

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

32 ~~(a) "Child placement agency" means a business or service conducted,~~  
 33 ~~maintained or operated by a person engaged in finding homes for children~~  
 34 ~~by placing or arranging for the placement of such children for adoption or~~  
 35 ~~foster care.~~

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

42 ~~(b) "Assistant teacher" means a staff member of a child care center~~  
 43 ~~who meets requirements specified in section 1, and amendments thereto,~~

1 *and is responsible for assisting the lead teacher in the care of children.*

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

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

8 (e) (1) *"Child care facility" means:*

9 ~~(A)~~ (A) *A facility maintained by a person who has control or custody*  
 10 *of one or more children under 16 years of age, unattended by parent or*  
 11 *guardian, for the purpose of providing the children with food or lodging,*  
 12 *or both, ~~except~~ excluding children in the custody of the secretary for*  
 13 *children and families who are placed with a prospective adoptive family*  
 14 *pursuant to the provisions of an adoptive placement agreement or who are*  
 15 *related to the person by blood, marriage or legal adoption;*

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

19 ~~(C)~~ (C) *a child placement agency or child care resource and referral*  
 20 *agency, or a facility maintained by such an agency for the purpose of*  
 21 *caring for children under 16 years of age; or*

22 ~~(D)~~ (D) *any receiving or detention home for children under 16 years of*  
 23 *age provided or maintained by, or receiving aid from, any city or county or*  
 24 *the state.*

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

29 ~~(f)~~ (f) *"Child care home" means the premises where care is provided*  
 30 *for children at a residence.*

31 (g) *"Child care resource and referral agency" means a business or*  
 32 *service conducted, maintained or operated by a person engaged in*  
 33 *providing resource and referral services, including information of specific*  
 34 *services provided by child care facilities, to assist parents to find child*  
 35 *care.*

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

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

- 1       (2) *"Day care facility" does not include:*  
 2       (A) *A youth development program; or*  
 3       (B) *an individual who provides care for less than 35 hours per week*  
 4 *to four or fewer children, not more than two of whom may be infants, who*  
 5 *are not related to the individual by blood, marriage or legal adoption.*  
 6       ~~(e)(j)~~ *"Employee" means a person working, regularly volunteering or*  
 7 *residing in a child care facility.*  
 8       (k) *"Infant" means a child who is between two weeks and 12 months*  
 9 *of age or a child older than 12 months who has not yet learned to walk.*  
 10       (l) *"Lead teacher" means an individual who meets the requirements*  
 11 *of section 1, and amendments thereto, and can independently staff any unit*  
 12 *in a child care center.*  
 13       (m) *"Licensure year" means the period of time beginning on the*  
 14 *effective date and ending on the expiration date of a license.*  
 15       (n) *"Maternity center" means a facility that provides delivery services*  
 16 *for normal, uncomplicated pregnancies but does not include a medical*  
 17 *care facility as defined by K.S.A. 65-425, and amendments thereto.*  
 18       (o) *"Person" means any individual, association, partnership,*  
 19 *corporation, government, governmental subdivision or other entity.*  
 20       ~~(f)~~ *"Boarding school" means a facility which provides 24-hour care to*  
 21 *school age children, provides education as its primary function, and is*  
 22 *accredited by an accrediting agency acceptable to the secretary of health*  
 23 *and environment.*  
 24       ~~(g)~~ *"Maternity center" means a facility which provides delivery*  
 25 *services for normal, uncomplicated pregnancies but does not include a*  
 26 *medical care facility as defined by K.S.A. 65-425, and amendments*  
 27 *thereto.*  
 28       ~~(h)~~ *"Employee" means a person working, regularly volunteering or*  
 29 *residing in a child care facility.*  
 30       (p) *"Program director" means the staff member of a child care center*  
 31 *who meets the requirements of section 1, and amendments thereto, and is*  
 32 *responsible for implementing and supervising the comprehensive and*  
 33 *coordinated plan of activities that provide for the education, care,*  
 34 *protection and development of children who attend a child care center.*  
 35       (q) *"School-age" means a child who will be at least six years of age*  
 36 *on or before the first day of September of any school year but is under 16*  
 37 *years of age.*  
 38       (r) *"Unit" means the number of children who may be present in one*  
 39 *group in a child care center.*  
 40       (s) *"Youth development program" means the same as defined in*  
 41 *K.S.A. 65-527, and amendments thereto.*  
 42       Sec. 51. On and after July 1, 2026, K.S.A. 2024 Supp. 65-503, as  
 43 amended by section 50 of this act, is hereby amended to read as follows:

1 65-503. As used in this act:

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

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

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

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

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

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

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

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

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

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

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

36 ~~(g) "Child care resource and referral agency" means a business or~~  
37 ~~service conducted, maintained or operated by a person engaged in~~  
38 ~~providing resource and referral services, including information of specific~~  
39 ~~services provided by child care facilities, to assist parents to find child~~  
40 ~~care.~~

41 ~~(h)~~(e) "Child placement agency" means a business or service  
42 conducted, maintained or operated by a person engaged in finding homes  
43 for children by placing or arranging for the placement of such children for

1 adoption or foster care.

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

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

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

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

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

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

16 ~~(h)(h) "Lead teacher" means an individual who meets the~~  
 17 ~~requirements of section—+ 2, and amendments thereto, and can~~  
 18 ~~independently staff any unit in a child care center.~~

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

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

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

27 ~~(p)(l) "Program director" means the staff member of a child care~~  
 28 ~~center who meets the requirements of section—+2, and amendments thereto,~~  
 29 ~~and is responsible for implementing and supervising the comprehensive~~  
 30 ~~and coordinated plan of activities that provide for the education, care,~~  
 31 ~~protection and development of children who attend a child care center.~~

32 ~~(q)(m) "School-age" means a child who will be at least six years of~~  
 33 ~~age on or before the first day of September of any school year but is under~~  
 34 ~~16 years of age.~~

35 ~~(r)(n) "Unit" means the number of children who may be present in~~  
 36 ~~one group in a child care center.~~

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

39 Sec. 52. On and after July 1, 2026, K.S.A. 65-504 is hereby amended  
 40 to read as follows: 65-504. (a) The secretary of health and environment  
 41 shall have the power to grant a license to a person to maintain a maternity  
 42 center or child care facility for children under 16 years of age. A license  
 43 granted to maintain a maternity center or child care facility shall state the

1 name of the licensee, describe the particular premises in or at which the  
2 business shall be carried on, whether it shall receive and care for women  
3 or children, and the number of women or children that may be treated,  
4 maintained, boarded or cared for at any one time. No greater number of  
5 women or children than is authorized in the license shall be kept on those  
6 premises and the business shall not be carried on in a building or place not  
7 designated in the license. The license shall be kept posted in a conspicuous  
8 place on the premises where the business is conducted. ~~A license granted  
9 to maintain a day care facility shall have on its face an expiration sticker  
10 stating the date of expiration of the license.~~

11 The secretary of health and environment shall grant no license in any  
12 case until careful inspection of the maternity center or child care facility  
13 shall have been made according to the terms of this act and until such  
14 maternity center or child care facility has complied with all the  
15 requirements of this act. Except as provided by this subsection, no license  
16 shall be granted without the approval of the secretary for children and  
17 families. The secretary of health and environment may issue, without the  
18 approval of the secretary for children and families, a temporary permit to  
19 operate for a period not to exceed 90 days upon receipt of an initial  
20 application for license. The secretary of health and environment may  
21 extend, without the approval of the secretary for children and families, the  
22 temporary permit to operate for an additional period not to exceed 90 days  
23 if an applicant is not in full compliance with the requirements of this act  
24 but has made efforts towards full compliance.

25 (b) (1) In all cases where the secretary for children and families  
26 deems it necessary, an investigation of the maternity center or child care  
27 facility shall be made under the supervision of the secretary for children  
28 and families or other designated qualified agents. For that purpose and for  
29 any subsequent investigations they shall have the right of entry and access  
30 to the premises of the center or facility and to any information deemed  
31 necessary to the completion of the investigation. In all cases where an  
32 investigation is made, a report of the investigation of such center or facility  
33 shall be filed with the secretary of health and environment.

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

38 (c) Whenever the secretary of health and environment refuses to grant  
39 a license to an applicant, the secretary shall issue an order to that effect  
40 stating the reasons for such denial and within five days after the issuance  
41 of such order shall notify the applicant of the refusal. Upon application not  
42 more than 15 days after the date of its issuance a hearing on the order shall  
43 be held in accordance with ~~the provisions of the Kansas administrative~~

1 procedure act.

2 (d) When the secretary of health and environment finds upon  
3 investigation or is advised by the secretary for children and families that  
4 ~~any of the provisions of this act or the provisions of K.S.A. 59-2123, and~~  
5 amendments thereto, are being violated, or that the maternity center or  
6 child care facility is maintained without due regard to the health, safety or  
7 welfare of any woman or child, the secretary of health and environment  
8 may issue an order revoking such license after giving notice and  
9 conducting a hearing in accordance with ~~the provisions of the Kansas~~  
10 administrative procedure act. The order shall clearly state the reason for  
11 the revocation.

12 (e) If the secretary revokes or refuses to renew a license, the licensee  
13 who had a license revoked or not renewed shall not be eligible to apply for  
14 a license for a period of one year subsequent to the date such revocation or  
15 refusal to renew becomes final. If the secretary revokes or refuses to renew  
16 a license of a licensee who is a repeat, three or more times, violator of  
17 statutory requirements or rules and regulations or is found to have  
18 contributed to the death or serious bodily harm of a child under such  
19 licensee's care, such licensee shall be permanently prohibited from  
20 applying for a new license to provide child care or from seeking  
21 employment under another licensee.

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

26 Sec. 53. K.S.A. 65-505 is hereby amended to read as follows: 65-505.

27 (a) (1) The annual fee for a license to conduct a maternity center or child  
28 care facility shall be fixed by the secretary of health and environment by  
29 rules and regulations in an amount not exceeding the following:

30 ~~(1)(A)~~ For a maternity center, \$150;

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

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

33 ~~(4)(2)~~ ~~for any other~~ *Except for child care facilities listed in paragraph*  
34 *(1), there shall be no annual fee for a license to conduct a child care*  
35 *facility, \$75 plus \$1 times the maximum number of children authorized*  
36 *under the license to be on the premises at any one time.*

37 (3) The license fee shall be paid to the secretary of health and  
38 environment when the license is applied for and annually thereafter. The  
39 fee shall not be refundable. No fee shall be charged for a license to  
40 conduct a home for children ~~which~~ *that* is a family foster home as defined  
41 in K.A.R. 28-4-311, ~~and amendments thereto. Fees in effect under this~~  
42 ~~subsection (a) immediately prior to the effective date of this act shall~~  
43 ~~continue in effect on and after the effective date of this act until a different~~

1 fee is established by the secretary of health and environment by rules and  
 2 regulations under this subsection.

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

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

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

34 Sec. 54. K.S.A. 65-508 is hereby amended to read as follows: 65-508.

35 (a) Any maternity center or child care facility subject to ~~the provisions of~~  
 36 this act shall:

- 37 (1) Be properly heated, plumbed, lighted and ventilated;
- 38 (2) have plumbing, water and sewerage systems ~~which~~ *that* conform  
 39 to all applicable state and local laws; and
- 40 (3) be operated with strict regard to the health, safety and welfare of  
 41 any woman or child.

42 (b) (1) Every maternity center or child care facility shall furnish or  
 43 cause to be furnished for the use of each resident and employee *an*



1 individual towel, ~~wash cloth~~ *washcloth or disposable products*, comb and  
2 individual drinking cup or sanitary bubbling fountain, and toothbrushes for  
3 all *children* other than infants, and shall keep or require such articles to be  
4 kept at all times in a clean and sanitary condition.

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

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

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

28 (2) Rules and regulations developed under this subsection shall  
29 include provisions for the competent supervision and care of children in  
30 day care facilities. For purposes of such rules and regulations, competent  
31 supervision as this term relates to children less than five years of age  
32 includes, but is not limited to, direction of activities, adequate oversight  
33 including sight or sound monitoring, or both, physical proximity to  
34 children, diapering and toileting practices; and for all children, competent  
35 supervision includes, but is not limited to, planning and supervision of  
36 daily activities, safe sleep practices, including, but not limited to, visual or  
37 sound monitoring, periodic checking, emergency response procedures and  
38 drills, illness and injury response procedures, food service preparation and  
39 sanitation, playground supervision, pool and water safety practices.

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

43 (1) A child shall only be placed to sleep on a surface and in an area

1 that has been approved for use as such by the secretary of health and  
2 environment;

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

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

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

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

13 (g) Each child cared for in a child care facility, including children of  
14 the person maintaining the facility, shall be required to have current such  
15 immunizations as the secretary of health and environment considers  
16 necessary. The person maintaining a child care facility shall maintain a  
17 record of each child's immunizations and shall provide to the secretary of  
18 health and environment such information relating thereto, in accordance  
19 with rules and regulations of the secretary, but the person maintaining a  
20 child care facility shall not have such person's license revoked solely for  
21 the failure to have or to maintain the immunization records required by  
22 this subsection.

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

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

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

31 Sec. 55. On and after July 1, 2026, K.S.A. 65-508, as amended by  
32 section 54 of this act, is hereby amended to read as follows: 65-508. (a)  
33 Any maternity center or child care facility subject to this act shall:

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

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

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

39 (b) (1) Every maternity center or child care facility shall furnish or  
40 cause to be furnished for the use of each resident and employee an  
41 individual towel, washcloth or disposable products, comb and individual  
42 drinking cup or sanitary bubbling fountain, and toothbrushes for all  
43 children other than infants, and shall keep or require such articles to be

1 kept at all times in a clean and sanitary condition.

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

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

6 (c)~~(4)~~ The secretary of health and environment with the cooperation  
7 of the secretary for children and families shall develop and adopt rules and  
8 regulations for the operation and maintenance of maternity centers and  
9 child care facilities. The rules and regulations for operating and  
10 maintaining maternity centers and child care facilities shall be designed to  
11 promote the health, safety and welfare of any woman or child served in  
12 such facilities by ensuring safe and adequate physical surroundings,  
13 healthful food, adequate handwashing, safe storage of toxic substances and  
14 hazardous chemicals, sanitary diapering and toileting, home sanitation,  
15 supervision and care of the residents by capable, qualified persons of  
16 sufficient number, after-hour care, an adequate program of activities and  
17 services, sudden infant death syndrome and safe sleep practices training,  
18 prohibition on corporal punishment, crib safety, protection from electrical  
19 hazards, protection from swimming pools and other water sources, fire  
20 drills, emergency plans, safety of outdoor playground surfaces, door locks,  
21 safety gates and transportation and such appropriate parental participation  
22 as may be feasible under the circumstances. Boarding schools are excluded  
23 from requirements regarding the number of qualified persons who must  
24 supervise and provide care to residents.

25 ~~(2) Rules and regulations developed under this subsection shall~~  
26 ~~include provisions for the competent supervision and care of children in~~  
27 ~~day care facilities. For purposes of such rules and regulations, competent~~  
28 ~~supervision as this term relates to children less than five years of age~~  
29 ~~includes, but is not limited to, direction of activities, adequate oversight~~  
30 ~~including sight or sound monitoring, or both, physical proximity to~~  
31 ~~children, diapering and toileting practices; and for all children, competent~~  
32 ~~supervision includes, but is not limited to, planning and supervision of~~  
33 ~~daily activities, safe sleep practices, including, but not limited to, visual or~~  
34 ~~sound monitoring, periodic checking, emergency response procedures and~~  
35 ~~drills, illness and injury response procedures, food service preparation and~~  
36 ~~sanitation, playground supervision, pool and water safety practices.~~

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

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

43 (2) the sleep surface shall be free from soft or loose bedding,

1 including, but not limited to, blankets, bumpers and pillows; and

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

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

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

10 (g) Each child cared for in a child care facility, including children of  
11 the person maintaining the facility, shall be required to have current such  
12 immunizations as the secretary of health and environment considers  
13 necessary. The person maintaining a child care facility shall maintain a  
14 record of each child's immunizations and shall provide to the secretary of  
15 health and environment such information relating thereto, in accordance  
16 with rules and regulations of the secretary, but the person maintaining a  
17 child care facility shall not have such person's license revoked solely for  
18 the failure to have or to maintain the immunization records required by  
19 this subsection.

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

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

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

28 Sec. 56. K.S.A. 65-512 is hereby amended to read as follows: 65-512.

29 (a) It is hereby made the duty of the secretary of health and environment to  
30 inspect or cause to be inspected at least once every 15 months prior to July  
31 1, 2012, and once every 12 months thereafter, every maternity center or  
32 child care facility, unless otherwise provided in subsections (b) and (c).  
33 For the purpose of inspection, the secretary or the secretary's authorized  
34 agent, *as an employee of the secretary or who has a contract with the*  
35 *secretary to provide inspections pursuant to K.S.A. 65-501 et seq. and who*  
36 *holds a certificate issued pursuant to subsection (c), shall have the right of*  
37 *entry and access thereto in to every department and to every place in the*  
38 *premises, shall to call for and examine the records which that are required*  
39 *to be kept by the provisions of this act and shall to make and preserve a*  
40 *record of every inspection. The licensee shall give all reasonable*  
41 *information to the authorized agent of the secretary of health and*  
42 *environment and shall afford every reasonable facility for viewing the*  
43 *premises and seeing the patients or children therein. No such patient or*

1 child, without the consent of the patient or child, shall be required to be  
 2 interviewed by any agent unless the agent is an authorized person or a  
 3 licensed physician.

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

7 (2) The secretary of health and environment shall conduct an  
 8 inspection of any child care facility upon receiving a complaint. Any new  
 9 child care facility shall be inspected prior to issuance of a license. The  
 10 secretary may conduct an inspection of any child care facility that has a  
 11 record of repeated complaints or serious violations at any time. *Every 12*  
 12 *months*, the secretary shall inspect any child care facility that provides  
 13 services to military families receiving military assistance for child care  
 14 every 12 months.

15 ~~(c) (1) Except as provided in subsection (b)(2), the following  
 16 categories of child care facilities which were in compliance on the  
 17 effective date of this act are not required to be inspected until July 1, 2011:  
 18 Day care homes, as defined in K.A.R. 28-4-113; group day care homes, as  
 19 defined in K.A.R. 28-4-113; child care centers, as defined in K.A.R. 28-4-  
 20 420; preschools, as defined in K.A.R. 28-4-420; school-age programs, as  
 21 defined in K.A.R. 28-4-576; and drop-in programs, as defined in K.A.R.  
 22 28-4-700. The secretary shall create a surveyor certification and provide a  
 23 minimum of yearly continuing education to qualify for such certification.~~

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

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

29 (d) *Persons conducting inspections and surveys pursuant to K.S.A.  
 30 65-501 et seq., and amendments thereto, shall hold a certification issued  
 31 by the secretary.*

32 Sec. 57. On and after July 1, 2026, K.S.A. 2024 Supp. 65-516 is  
 33 hereby amended to read as follows: 65-516. (a) No person shall knowingly  
 34 maintain a child care facility if an employee who, in this state or in other  
 35 states or the federal government:

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

38 (B) has been convicted of a felony under K.S.A. 2010 Supp. 21-  
 39 36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21  
 40 of the Kansas Statutes Annotated, and amendments thereto, or any felony  
 41 violation of any provision of the uniform controlled substances act prior to  
 42 July 1, 2009;

43 (C) has been convicted of any act that is described in articles 34, 35

1 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal,  
2 or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, *and*  
3 *amendments thereto*, or K.S.A. 21-6104, 21-6325, 21-6326, 21-6418  
4 through 21-6422 or 21-6424, and amendments thereto, or been convicted  
5 of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301,  
6 and amendments thereto, to commit any such act or been convicted of  
7 conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302,  
8 and amendments thereto, to commit such act, or similar statutes of any  
9 other state or the federal government;

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

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

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

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

31 (4) has committed an act of physical, mental or emotional abuse or  
32 neglect or sexual abuse and who is listed in the child abuse and neglect  
33 registry maintained by the Kansas department for children and families  
34 pursuant to K.S.A. 38-2226, and amendments thereto, or any similar child  
35 abuse and neglect registries maintained by any other state or the federal  
36 government and:

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

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

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

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

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

17 (8) has an infectious or contagious disease.

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

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

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

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

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

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

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

32 (d) Any person who resides in a child care facility and who has been  
33 found to be in need of a guardian or a conservator, or both, shall be  
34 counted in the total number of children allowed in care.

35 (e) In accordance with the provisions of this subsection, the secretary  
36 of health and environment shall have access to any court orders or  
37 adjudications of any court of record, any records of such orders or  
38 adjudications, criminal history record information including, but not  
39 limited to, diversion agreements, in the possession of the Kansas bureau of  
40 investigation and any report of investigations as authorized by K.S.A. 38-  
41 2226, and amendments thereto, in the possession of the Kansas department  
42 for children and families or court of this state concerning employees in a  
43 child care facility. The secretary shall have access to these records for the

1 purpose of determining whether or not the home meets the requirements of  
 2 K.S.A. 59-2132, 65-503, 65-508 and 65-516, and amendments thereto.

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

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

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

20 ~~(h)~~(h) The child care criminal background and fingerprinting fund is  
 21 hereby created in the state treasury to be administered by the secretary of  
 22 health and environment. All moneys credited to the child care criminal  
 23 background and fingerprinting fund shall be used to pay local and state  
 24 law enforcement officers and agencies for the processing of fingerprints  
 25 and criminal history background checks for the department. All  
 26 expenditures from the child care criminal background and fingerprinting  
 27 fund shall be made in accordance with appropriation acts upon warrants of  
 28 the director of accounts and reports issued pursuant to vouchers approved  
 29 by the secretary or by a person designated by the secretary.

30 ~~(i)~~(i) The secretary shall notify the child care applicant or licensee,  
 31 within seven days by certified mail with return receipt requested, when the  
 32 result of the national criminal history record check or other appropriate  
 33 review reveals unfitness specified in subsections (a)(1) through (8) with  
 34 regard to the person who is the subject of the review.

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

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

43 (1) Had an opportunity to be interviewed and present information



1 during the investigation of the alleged act of abuse or neglect; and

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

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

6 (1) The secretary of health and environment shall provide in writing  
7 information available to the secretary to each child placement agency  
8 requesting information under this section, including the information  
9 provided by the Kansas bureau of investigation pursuant to this section, for  
10 the purpose of assessing the fitness of persons living, working or regularly  
11 volunteering in a family foster home under the child placement agency's  
12 sponsorship.

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

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

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

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

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

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

31 (C) the department of health and environment;

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

33 (E) the department of corrections; and

34 (F) the courts.

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

37 ~~(n) No person shall maintain a day care facility unless such person is~~  
38 ~~a high school graduate or the equivalent thereof, except where~~  
39 ~~extraordinary circumstances exist, the secretary of health and environment~~  
40 ~~may exercise discretion to make exceptions to this requirement. The~~  
41 ~~provisions of this subsection shall not apply to any person who was~~  
42 ~~maintaining a day care facility on the day immediately prior to July 1,~~  
43 ~~2010, or who had an application for an initial license or the renewal of an~~

1 existing license pending on July 1, 2010.

2 Sec. 58. K.S.A. 65-527 is hereby amended to read as follows: 65-527.

3 (a) As used in this section:

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

12 (2) *"Individualized program plan" means a written goal-oriented*  
13 *plan of specialized services for each child with special needs or for each*  
14 *juvenile offender attending a day reporting program.*

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

18 ~~(2)(4)~~ (4) *"Public recreation center" means any building used by a*  
19 *political or taxing subdivision of this state, or by an agency of such*  
20 *subdivision, for recreation programs that serve children who are less than*  
21 *18 years of age.*

22 ~~(3)(5)~~ (5) *"School" means any building used for instruction of students*  
23 *enrolled in kindergarten or any of the grades one through 12 by a school*  
24 *district or an accredited nonpublic school.*

25 ~~(4)(6)~~ (6) *"School-age program" means a child care facility that serves*  
26 *exclusively school-age children and youth but does not include a drop-in*  
27 *youth development program.*

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

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

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

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

43 (3) complies, except as provided in subsection (c), during all hours of

1 operation of ~~the drop-in~~ a youth development program or school-age  
2 program, with all local building code provisions that apply to recreation  
3 centers; if the building is a public recreation center; or to schools; if the  
4 building is a school.

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

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

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

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

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

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

22 (f) *This section shall expire on June 30, 2026.*

23 Sec. 59. On and after July 1, 2026, K.S.A. 65-531 is hereby amended  
24 to read as follows: 65-531. ~~On and after July 1, 1996:~~ (a) Except as  
25 provided further, information and records ~~which~~ *that* pertain to the  
26 immunization status of persons against childhood diseases as required by  
27 K.S.A. 65-508, and amendments thereto, may be disclosed and exchanged  
28 without a parent or guardian's written release authorizing such disclosure,  
29 to the following, who need to know such information to assure compliance  
30 with state statutes or to achieve ~~age-appropriate~~ *age-appropriate*  
31 immunization status for children:

32 (1) Employees of public agencies or departments;

33 (2) health records staff of child care facilities, including, but not  
34 limited to, facilities licensed by the secretary of health and environment;

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

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

40 (b) Notwithstanding K.S.A. 60-427, and amendments thereto, or any  
41 other Kansas statute ~~which~~ *that* provides for privileged information  
42 between a patient and a ~~health care~~ *healthcare* provider, there shall be no  
43 privilege preventing the furnishing of information and records as

1 authorized by this section by any ~~health care~~ *healthcare* provider.

2 (c) Information and records ~~which that~~ pertain to the immunization  
3 status of persons against childhood diseases as required by K.S.A. 65-508,  
4 and amendments thereto, whose parent or guardian has submitted a written  
5 statement of religious objection to immunization as provided in K.S.A. 65-  
6 508, and amendments thereto, may not be disclosed or exchanged without  
7 a parent or guardian's written release authorizing such disclosure.

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

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

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

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

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

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

30 ~~(e) "Parent education program" means a program developed and~~  
31 ~~operated by a board for the purpose of providing expectant parents and~~  
32 ~~parents of infants or toddlers or both with information, advice, assistance,~~  
33 ~~resource materials, guidance and learning experiences regarding such~~  
34 ~~measures as parenting skills and the various styles of parenting, the~~  
35 ~~processes and principles of growth and development of children, home~~  
36 ~~learning activities designed for infants and toddlers, techniques~~  
37 ~~emphasizing a positive approach to discipline, effective methods of~~  
38 ~~communicating and interacting with children so as to foster the~~  
39 ~~development of self-esteem, strategies for structuring behavioral limits and~~  
40 ~~increasing mutual positive regard, and other elements of effective~~  
41 ~~parenting that are conducive to the structuring of a home environment in~~  
42 ~~which children are encouraged to be successful and productive learners.~~

43 (d) "Infant" and "toddler" means any child under the age of eligibility

1 for school attendance.

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

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

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

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

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

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

17 (b) In order to be eligible to receive a grant of state moneys for the  
18 development and operation of a parent education program, a board shall  
19 submit to the ~~state board~~ *executive director* an application for a grant and a  
20 description of the program. The application and description shall be  
21 prepared in such form and manner as the ~~state board~~ *executive director*  
22 shall require and shall be submitted at a time to be determined and  
23 specified by the ~~state board~~ *executive director*. Approval by the ~~state board~~  
24 *executive director* of the program and the application is prerequisite to the  
25 award of a grant.

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

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

34 (1) Establish standards and criteria for reviewing, evaluating and  
35 approving parent education programs and applications of school districts  
36 for grants;

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

39 (3) evaluate and approve parent education programs;

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

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

1 (6) request of and receive from each school district ~~which that~~ is  
2 awarded a grant for development and operation of a parent education  
3 program reports containing information with regard to the effectiveness of  
4 the program.

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

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

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

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

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

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

23 ~~(2) In the 1991-92 school year, to the extent that appropriations are available therefor, and on the basis of established priorities, the state board shall select for the award of grants of state moneys those school districts, not to exceed 200 school districts, which the state board determines to be most capable of developing and operating successful parent education programs.~~

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

33 (b) The amount of a grant *awarded* to a school district shall be  
34 determined by the ~~state board~~ *executive director* in accordance with  
35 established priorities, but in no event shall such amount exceed the amount  
36 of actual expenses incurred by the school district in the development and  
37 operation of a program. If the amount of appropriations for parent  
38 education programs is insufficient to pay in full the amount *that* each  
39 school district is determined to be eligible to receive, the ~~state board~~  
40 *executive director* shall prorate the amount appropriated among all school  
41 districts in proportion to the amount *that* each such school district is  
42 determined to be eligible to receive.

43 Sec. 64. On and after July 1, 2026, K.S.A. 72-4166 is hereby

1 amended to read as follows: 72-4166. The ~~state board~~ *executive director*, in  
2 cooperation with ~~the Kansas department for children and families, the state~~  
3 ~~department of health and environment, and other~~ appropriate associations  
4 and organizations, may provide any board, upon its request therefor, with  
5 technical advice and assistance regarding the development and operation  
6 of a parent education program or an application for a grant of state  
7 moneys; and may make studies and gather and disseminate information  
8 regarding materials, resources, procedures and personnel ~~which~~ *that* are or  
9 may become available to assist school districts in the development and  
10 operation of parent education programs.

11 Sec. 65. K.S.A. 38-1901, 38-2103, 65-505, 65-508, 65-512, 65-527  
12 and K.S.A. 2024 Supp. 48-3406 and 65-503 are hereby repealed.

13 Sec. 66. On and after July 1, 2026, section 1, as enacted by this act,  
14 section 3, as enacted by this act, section 5, as enacted by this act, section 7,  
15 as enacted by this act, section 9, as enacted by this act, section 11, as  
16 enacted by this act, section 13, as enacted by this act, section 15, as  
17 enacted by this act, 65-504, 65-508, as amended by section 54 of this act,  
18 65-531, 72-4161, 72-4162, 72-4163, 72-4164 and 72-4166 and K.S.A.  
19 2024 Supp. 65-503, as amended by section 50 of this act, and 65-516 are  
20 hereby repealed.

21 Sec. 67. This act shall take effect and be in force from and after its  
22 publication in the statute book.