

HOUSE BILL No. 1253

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-17.2.

Synopsis: Child care. Makes various changes to align the language in the following provisions with the current language in the definition for "child care home": (1) The applicability for the child care article. (2) The voucher program eligibility. Provides that a granted waiver or variance expires three years after the date that the waiver or variance becomes effective. Provides that, not later than June 30, 2026, the division of family resources (division) shall establish an organizational license category for multi-state child care centers operating under one owner, and that in establishing the organizational license category, the division must do certain things. Removes the requirement that a child receiving child care from a school must be the child of a student or employee of the school.

Effective: July 1, 2025.

Heine, DeVon, Heaton

January 9, 2025, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1253

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-17.2-1-1, AS AMENDED BY P.L.134-2024,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 1. Except as provided in IC 12-17.2-3.5, this
4 article does not apply to the following:

5 (1) A child care center or child care home licensed or operated by
6 any of the following:

7 (A) Programs for children in grades kindergarten through 12
8 that are operated under the authority of the department of
9 education or that are operated with the assistance of the
10 department of education.

11 (B) The division of mental health and addiction.

12 (C) The Indiana department of health.

13 (D) The department of correction.

14 (2) A person who provides child care in the person's residential
15 structure, if the person:

16 (A) does not receive regular compensation for child care;

17 (B) cares only for children ~~who are related to the provider;~~ **for**



whom the provider is a parent, stepparent, guardian, custodian, or other relative;

(C) cares for less than eight (8) children, **but not more than three (3) children who are less than twelve (12) months of age**, not including a child ~~who is~~ **for whom the provider is a parent, stepparent, guardian, custodian, or other relative**;

(i) a relative of a provider;

(ii) under the custody or guardianship of a provider; or

(iii) at least fourteen (14) years of age and does not require child care; or

(D) cares for an individual who is at least fourteen (14) years of age and does not require child care;

~~(E)~~ (E) provides child care for less than six (6) hours per day; **but not more than thirty (30) hours per week; or**

(F) provides child care for less than ten (10) consecutive days, not including Saturdays, Sundays, or holidays.

(3) A county jail or detention center.

SECTION 2. IC 12-17.2-2-8, AS AMENDED BY P.L.134-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. The division shall exempt from licensure the following programs:

(1) A program for children enrolled in grades kindergarten through 12 that is operated by the department of education or a public or private school.

(2) A program for children who become at least three (3) years of age as of December 1 of a particular school year (as defined in IC 20-18-2-17) that is operated by the department of education or a public or private school.

(3) A nonresidential program for a child that provides child care for less than four (4) hours a day.

(4) A recreation program for children that operates for not more than ninety (90) days in a calendar year.

(5) A program whose primary purpose is to provide social, recreational, or religious activities for school age children, such as scouting, boys club, girls club, sports, or the arts.

(6) A program operated to serve migrant children that:

(A) provides services for children from migrant worker families; and

(B) is operated during a single period of less than one hundred twenty (120) consecutive days during a calendar year.

(7) A child care ministry registered under IC 12-17.2-6.



(8) A child care home if the provider operates to serve migrant children.

(9) A child care program operated by a public or private school that does the following:

(A) Provides day care on school property for children of ~~students or employees of schools~~ in the school corporation in which the public or private school is located.

(B) Complies with health, safety, and sanitation standards as determined by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of this chapter.

(C) Substantially complies with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of this chapter.

(10) A school age child care program (commonly referred to as a latch key program) established under IC 20-26-5-2 that is operated by:

(A) the department of education;

(B) a public or private school; or

(C) a public or private organization under a written contract with:

(i) the department of education; or

(ii) a public or private school.

(11) A child care program that:

(A) is operated by a public or private organization under a contract with a public or private school;

(B) serves children who are enrolled in the public or private school in:

(i) grades kindergarten through 12; or

(ii) a preschool program offered by a public or private school as described in this subdivision; and

(C) serves children who are:

(i) attending school through remote or e-learning due to a disaster emergency declared under IC 10-14-3-12 or IC 10-14-3-29; or

(ii) participating in a learning recovery program that administers an assessment to measure student learning loss and provides Indiana academic standards aligned



instruction.

(12) An educational program:

(A) consisting of a group of not more than ten (10) students who attend the educational program in lieu of attending prekindergarten or kindergarten through grade 12 at a public or private school;

(B) whose students meet in a single classroom in person or outside a classroom and which may include mixed age level groupings; and

(C) that is under the supervision of a teacher or tutor.

(13) If located in the same public or private school building:

(A) a preschool program that is operated by the public or private school; and

(B) either or both of the following:

(i) A child care program described in subdivision (9).

(ii) A school age child care program described in subdivision (10).

(14) A child care program operated by a public or private school that does the following:

(A) Provides day care on school property for children of employees of a business or organization with which the school has entered into a contract to provide services. If the school property is owned by the school, the school property must have been both:

(i) owned by the school; and

(ii) used for child care;

on or before January 1, 2024.

(B) Complies with health, safety, and sanitation standards as determined by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of this chapter.

(C) Substantially complies with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division under section 4 of this chapter for child care centers or in accordance with a variance or waiver of a rule governing child care centers approved by the division under section 10 of this chapter.

SECTION 3. IC 12-17.2-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. A waiver or variance granted under section 10 of this chapter and a waiver or variance renewed under section 12 of this chapter expires on the earlier



of the following:

- (1) The date when the license affected by the waiver or variance expires.
- (2) The date set by the division for the expiration of the waiver or variance.
- (3) The occurrence of the event set by the division for the expiration of the waiver or variance.
- (4) ~~Two (2)~~ **Three (3)** years after the date that the waiver or variance becomes effective.

SECTION 4. IC 12-17.2-2-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 15. (a) Not later than June 30, 2026, the division shall establish an organizational license category for multi-state child care centers operating under one (1) owner.**

(b) In establishing the license category under subsection (a), the division shall do the following:

- (1) Allow an owner to make a single license application for one (1) or more child care centers.**
- (2) Allow an owner to pay a single licensure fee, even if applying for multiple child care center licenses.**
- (3) Provide maximum flexibility to an owner when the owner is considering adding new locations to serve a community's need for licensed child care.**
- (4) Reduce redundancy in the application process for an owner.**
- (5) Reduce the administrative burden to the state in reviewing multiple licenses for a single owner.**
- (6) Monitor each location to ensure that each location meets important health and safety standards.**
- (7) Inspect each location separately for compliance, create separate plans of correction, and provide location based enforcement that does not affect the other locations.**
- (8) Consider the maximum efficiencies for the organizational license holder to drive down operational costs for the child care center owner.**

SECTION 5. IC 12-17.2-3.5-3.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 3.5. A child care provider is eligible to receive a voucher payment if the provider complies with this chapter and meets any of the following:**

- (1) Does not receive regular compensation.



- 1 (2) Cares only for children ~~who are related to the provider. for~~
2 **whom the provider is a parent, stepparent, guardian,**
3 **custodian, or other relative.**
4 (3) Cares for less than eight (8) children, **but not more than**
5 **three (3) children who are less than twelve (12) months of age,**
6 not including children for whom the provider is a parent,
7 stepparent, guardian, custodian, or other relative. ~~or~~
8 **(4) Cares for an individual who is at least fourteen (14) years**
9 **of age and does not require child care.**
10 **(5) Provides child care for less than six (6) hours per day.**
11 **(6) Provides child care for less than ten (10) consecutive days,**
12 **not including Saturdays, Sundays, or holidays.**
13 ~~(4)~~ **(7) Operates to serve migrant children.**

