



Reprinted  
April 4, 2025

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## ENGROSSED HOUSE BILL No. 1253

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DIGEST OF HB 1253 (Updated April 3, 2025 2:25 pm - DI 148)

**Citations Affected:** IC 12-17.2; IC 22-12.

**Synopsis:** Child care. Provides that a granted waiver or variance expires three years after the date that the waiver or variance becomes effective. Removes the requirement that a child receiving child care from a school must be the child of a student or employee of the school.  
(Continued next page)

**Effective:** Upon passage; July 1, 2025.

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### Heine, DeVon, Heaton, Hamilton

(SENATE SPONSORS — BROWN L, CHARBONNEAU, ROGERS,  
DONATO, DORIOT, RANDOLPH LONNIE M, POL JR., YODER)

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

January 27, 2025, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 126.3.

February 6, 2025, reported — Do Pass.

February 10, 2025, read second time, ordered engrossed.

February 11, 2025, engrossed. Read third time, passed. Yeas 91, nays 0.

#### SENATE ACTION

February 20, 2025, read first time and referred to Committee on Family and Children Services.

March 10, 2025, reported favorably — Do Pass; reassigned to Committee on Appropriations.

March 27, 2025, amended, reported favorably — Do Pass.

April 3, 2025, read second time, amended, ordered engrossed.

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## Digest Continued

Provides that, not later than June 30, 2026, the division of family resources (division) shall establish an organizational license category for multi-site child care centers operating under one owner, and specifies obligations of the division with regard to the new license category. Provides that, subject to exceptions, certain properties may not be required to comply with a new or different set of building, fire safety, or equipment laws than were originally enforced by the department: (1) before July 1, 2025; or (2) two years after the earlier of the date of the: (A) initial inspection; or (B) plan review. Allows a child care home that was licensed to operate a Class 2 structure before July 1, 2025, to continue operating in the structure notwithstanding the building, fire safety, or equipment laws and regulations.



Reprinted  
April 4, 2025

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.

## ENGROSSED 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 12-17.2-2-8, AS AMENDED BY P.L.134-2024,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2025]: Sec. 8. The division shall exempt from licensure the
- 4 following programs:
- 5 (1) A program for children enrolled in grades kindergarten
- 6 through 12 that is operated by the department of education or a
- 7 public or private school.
- 8 (2) A program for children who become at least three (3) years of
- 9 age as of December 1 of a particular school year (as defined in
- 10 IC 20-18-2-17) that is operated by the department of education or
- 11 a public or private school.
- 12 (3) A nonresidential program for a child that provides child care
- 13 for less than four (4) hours a day.
- 14 (4) A recreation program for children that operates for not more
- 15 than ninety (90) days in a calendar year.
- 16 (5) A program whose primary purpose is to provide social,
- 17 recreational, or religious activities for school age children, such

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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



- 1 (C) serves children who are:  
 2 (i) attending school through remote or e-learning due to a  
 3 disaster emergency declared under IC 10-14-3-12 or  
 4 IC 10-14-3-29; or  
 5 (ii) participating in a learning recovery program that  
 6 administers an assessment to measure student learning loss  
 7 and provides Indiana academic standards aligned  
 8 instruction.
- 9 (12) An educational program:  
 10 (A) consisting of a group of not more than ten (10) students  
 11 who attend the educational program in lieu of attending  
 12 prekindergarten or kindergarten through grade 12 at a public  
 13 or private school;  
 14 (B) whose students meet in a single classroom in person or  
 15 outside a classroom and which may include mixed age level  
 16 groupings; and  
 17 (C) that is under the supervision of a teacher or tutor.
- 18 (13) If located in the same public or private school building:  
 19 (A) a preschool program that is operated by the public or  
 20 private school; and  
 21 (B) either or both of the following:  
 22 (i) A child care program described in subdivision (9).  
 23 (ii) A school age child care program described in  
 24 subdivision (10).
- 25 (14) A child care program operated by a public or private school  
 26 that does the following:  
 27 (A) Provides day care on school property for children of  
 28 employees of a business or organization with which the school  
 29 has entered into a contract to provide services. If the school  
 30 property is owned by the school, the school property must have  
 31 been both:  
 32 (i) owned by the school; and  
 33 (ii) used for child care;  
 34 on or before January 1, 2024.  
 35 (B) Complies with health, safety, and sanitation standards as  
 36 determined by the division under section 4 of this chapter for  
 37 child care centers or in accordance with a variance or waiver  
 38 of a rule governing child care centers approved by the division  
 39 under section 10 of this chapter.  
 40 (C) Substantially complies with the fire and life safety rules as  
 41 determined by the state fire marshal under rules adopted by the  
 42 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 2. 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 3. 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-site 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 and assign each owner's license a unique license number.**
- (2) Allow an owner to pay a single licensure fee even if applying for multiple child care center locations, which must be equal to the fee that the owner would pay for each separate child care license under section 2 of this chapter.**
- (3) Assign each owner a separate location number for each facility.**
- (4) Monitor each facility separately by location number to ensure that each facility separately meets important health and safety standards.**
- (5) Inspect each location number separately for compliance, create separate plans of correction for each location number, and provide location number based enforcement that does not affect the other location numbers.**
- (6) Provide maximum flexibility to an owner when the owner is considering adding new locations to serve a community's need for licensed child care.**



(7) Reduce redundancy in the application process for an owner.

(8) Reduce the administrative burden to the state in reviewing multiple licenses for a single owner.

(9) Consider the maximum efficiencies for the organizational license holder to drive down operational costs for the child care center owner.

SECTION 4. IC 22-12-7-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. (a)** Except as provided by subsection (c), if a property is inspected by the department or plans were reviewed by the department, neither the department nor a political subdivision may require compliance with a new or different set of building, fire safety, or equipment laws than were originally enforced by the department:

(1) before July 1, 2025; or

(2) two (2) years after the earlier of the date of the:

(A) initial inspection; or

(B) plan review.

(b) A child care home (as defined in IC 12-7-2-28.6) that was licensed to operate in a Class 2 structure by the office of the secretary of family and social services before July 1, 2025, may continue to operate in the structure notwithstanding the provisions of this article and 675 IAC 13.

(c) Subsection (a) does not apply to any of the following:

(1) Any:

(A) fraud;

(B) material misrepresentation; or

(C) other act of bad faith;

that results in misapplication of the appropriate requirements.

(2) A change of use or occupancy of the structure or equipment.

(3) A condition imposed in a variance issued by the:

(A) department; or

(B) commission.

(4) Any new construction, addition, or alteration of the structure or equipment.

(5) A violation that would qualify for an emergency order under section 6(a)(1) of this chapter.

(6) Any maintenance requirements.

SECTION 5. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1253, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 18.

Page 5, line 14, delete "multi-state" and insert "**multi-site**".

Page 5, delete lines 36 through 42.

Delete page 6.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1253 as introduced.)

DEVON

Committee Vote: yeas 12, nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1253, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1253 as printed January 27, 2025.)

THOMPSON

Committee Vote: Yeas 22, Nays 0





## COMMITTEE REPORT

Mr. President: The Senate Committee on Family and Children Services, to which was referred House Bill No. 1253, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1253 as printed February 6, 2025.)

WALKER G, Chairperson

Committee Vote: Yeas 8, Nays 0

## COMMITTEE REPORT

Mr. President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill No. 1253, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 4, delete lines 17 through 42.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to EHB 1253 as printed March 11, 2025.)

MISHLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

## SENATE MOTION

Mr. President: I move that Engrossed House Bill 1253 be amended to read as follows:

Page 4, after line 16, begin a new paragraph and insert:

"SECTION 3. 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-site child care centers operating under one (1) owner.**

**(b) In establishing the license category under subsection (a), the**

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division shall do the following:

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

SECTION 4. IC 22-12-7-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. (a)** Except as provided by subsection (c), if a property is inspected by the department or plans were reviewed by the department, neither the department nor a political subdivision may require compliance with a new or different set of building, fire safety, or equipment laws than were originally enforced by the department:

- (1) before July 1, 2025; or
- (2) two (2) years after the earlier of the date of the:
  - (A) initial inspection; or
  - (B) plan review.

(b) A child care home (as defined in IC 12-7-2-28.6) that was licensed to operate in a Class 2 structure by the office of the secretary of family and social services before July 1, 2025, may



**continue to operate in the structure notwithstanding the provisions of this article and 675 IAC 13.**

**(c) Subsection (a) does not apply to any of the following:**

**(1) Any:**

**(A) fraud;**

**(B) material misrepresentation; or**

**(C) other act of bad faith;**

**that results in misapplication of the appropriate requirements.**

**(2) A change of use or occupancy of the structure or equipment.**

**(3) A condition imposed in a variance issued by the:**

**(A) department; or**

**(B) commission.**

**(4) Any new construction, addition, or alteration of the structure or equipment.**

**(5) A violation that would qualify for an emergency order under section 6(a)(1) of this chapter.**

**(6) Any maintenance requirements.**

**SECTION 5. An emergency is declared for this act."**

**Renumber all SECTIONS consecutively.**

**(Reference is to EHB 1253 as printed March 28, 2025.)**

**BROWN L**

