



February 6, 2025

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## HOUSE BILL No. 1253

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DIGEST OF HB 1253 (Updated February 4, 2025 5:25 pm - DI 140)

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

**Synopsis:** Child care. 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-site child care centers operating under one owner, and specifies obligations of the division with regard to the new license category. 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.

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### Heine, DeVon, Heaton

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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.

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HB 1253—LS 7209/DI 148





February 6, 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.

## 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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- 1 as scouting, boys club, girls club, sports, or the arts.
- 2 (6) A program operated to serve migrant children that:
- 3 (A) provides services for children from migrant worker
- 4 families; and
- 5 (B) is operated during a single period of less than one hundred
- 6 twenty (120) consecutive days during a calendar year.
- 7 (7) A child care ministry registered under IC 12-17.2-6.
- 8 (8) A child care home if the provider operates to serve migrant
- 9 children.
- 10 (9) A child care program operated by a public or private school
- 11 that does the following:
- 12 (A) Provides day care on school property for children of
- 13 ~~students or employees of schools~~ in the school corporation in
- 14 which the public or private school is located.
- 15 (B) Complies with health, safety, and sanitation standards as
- 16 determined by the division under section 4 of this chapter for
- 17 child care centers or in accordance with a variance or waiver
- 18 of a rule governing child care centers approved by the division
- 19 under section 10 of this chapter.
- 20 (C) Substantially complies with the fire and life safety rules as
- 21 determined by the state fire marshal under rules adopted by the
- 22 division under section 4 of this chapter for child care centers
- 23 or in accordance with a variance or waiver of a rule governing
- 24 child care centers approved by the division under section 10 of
- 25 this chapter.
- 26 (10) A school age child care program (commonly referred to as a
- 27 latch key program) established under IC 20-26-5-2 that is
- 28 operated by:
- 29 (A) the department of education;
- 30 (B) a public or private school; or
- 31 (C) a public or private organization under a written contract
- 32 with:
- 33 (i) the department of education; or
- 34 (ii) a public or private school.
- 35 (11) A child care program that:
- 36 (A) is operated by a public or private organization under a
- 37 contract with a public or private school;
- 38 (B) serves children who are enrolled in the public or private
- 39 school in:
- 40 (i) grades kindergarten through 12; or
- 41 (ii) a preschool program offered by a public or private
- 42 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



1 or in accordance with a variance or waiver of a rule governing  
 2 child care centers approved by the division under section 10 of  
 3 this chapter.

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

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

17 SECTION 3. IC 12-17.2-2-15 IS ADDED TO THE INDIANA  
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2025]: **Sec. 15. (a) Not later than June 30,**  
 20 **2026, the division shall establish an organizational license category**  
 21 **for multi-site child care centers operating under one (1) owner.**

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

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



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.

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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

