

# HOUSE BILL 1574

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By: **Delegates Solomon, Addison, Bagnall, Coley, Ebersole, Forbes, Guyton, Hornberger, D. Jones, Kaufman, Lopez, Mireku-North, Palakovich Carr, and Tomlinson**

Introduced and read first time: February 13, 2026

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Child Care Providers – Licensing and Registration Alterations ~~and Workgroup~~**  
3 **~~to Study Illegally Provided Child Care~~**

4 FOR the purpose of requiring the State Department of Education to ~~issue a warning to~~  
5 ~~child care providers for certain violations of a rule or regulation adopted by the~~  
6 ~~Department within a certain period of time; requiring the Department to establish a~~  
7 ~~unit with the dedicated purpose of processing and managing information about~~  
8 ~~criminal history records checks for applicants to child care providers; requiring the~~  
9 ~~unit to notify an individual who has submitted an application about the status and~~  
10 ~~result of the application within a certain time; providing for the handling of criminal~~  
11 ~~background history information~~ establish a certain grace period for the  
12 implementation of certain new or substantively amended regulations, subject to  
13 certain conditions; altering the requirements that the State Board of Education must  
14 adopt for licensing and regulating family child care providers and child care centers;  
15 ~~requiring the Department to enter into an agreement with certain child care~~  
16 ~~providers with a certain Maryland EXCELS quality rating who violate certain~~  
17 ~~provisions of law or regulation; requiring the State Superintendent of Schools to~~  
18 ~~provide a certain notice and place on a certain list certain individuals who are~~  
19 ~~prohibited from employment by child care centers due to a failure to supervise~~  
20 ~~violation; establishing the Workgroup to Study Illegally Provided Child Care to study~~  
21 ~~and make recommendations on the scale and impacts of illegally provided child care~~  
22 ~~in the State~~; and generally relating to the rules and regulations governing the legal  
23 provision of child care in the State.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,  
 2 Article – Education  
 3 Section 1–101(a) and (f)  
 4 Annotated Code of Maryland  
 5 (2025 Replacement Volume and 2025 Supplement)

6 BY repealing and reenacting, without amendments,  
 7 Article – Education  
 8 Section 9.5–101 ~~and~~, 9.5–107, 9.5–306, and 9.5–411  
 9 Annotated Code of Maryland  
 10 (2022 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,  
 12 Article – Education  
 13 Section 9.5–106, 9.5–303, ~~9.5–306~~, and 9.5–404, ~~and 9.5–411~~  
 14 Annotated Code of Maryland  
 15 (2022 Replacement Volume and 2025 Supplement)

16 ~~BY adding to~~  
 17 ~~Article – Education~~  
 18 ~~Section 9.5–118, 9.5–306.1, 9.5–411.1, and 9.5–411.2~~  
 19 ~~Annotated Code of Maryland~~  
 20 ~~(2022 Replacement Volume and 2025 Supplement)~~

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 22 That the Laws of Maryland read as follows:

### 23 Article – Education

24 1–101.

25 (a) In this article, unless the context requires otherwise, the following words have  
 26 the meanings indicated.

27 (f) “Department” means the State Department of Education.

28 9.5–101.

29 (a) In this title the following words have the meanings indicated.

30 (b) “Advertisement” means a communication that is intended to influence a  
 31 person to enter into an obligation or sign a contract for services.

32 (c) “Child care center” has the meaning stated in § 9.5–401 of this title.

33 (d) “Family child care home” has the meaning stated in § 9.5–301 of this title.

1 (e) “Large family child care home” has the meaning stated in § 9.5–301 of this  
2 title.

3 (f) “License” means a license issued by the Department to operate a child care  
4 center.

5 (g) “Registration” means a registration issued by the Department to a family child  
6 care home or a large family child care home.

7 9.5–106.

8 (A) Subject to the hearing provisions of § 9.5–107 of this subtitle **AND EXCEPT AS**  
9 **PROVIDED IN SUBSECTION (B) OF THIS SECTION:**

10 (1) If a licensee violates any provision of this title or of a rule or regulation  
11 adopted under this title, the Department may suspend the license for a period not exceeding  
12 1 year; and

13 (2) If a licensee or registrant violates any provision of this title or of a rule  
14 or regulation adopted under this title, the Department may revoke the license or  
15 registration.

16 (B) ~~IF A LICENSEE OR REGISTRANT VIOLATES A RULE OR REGULATION~~  
17 ~~ADOPTED UNDER THIS TITLE WITHIN THE FIRST YEAR OF ADOPTION BY THE~~  
18 ~~DEPARTMENT:~~

19 (1) ~~FOR THE FIRST VIOLATION, THE DEPARTMENT SHALL WARN THE~~  
20 ~~LICENSEE OR REGISTRANT AND DISCUSS THE TERMS OF THE NEW RULE OR~~  
21 ~~REGULATION; AND~~

22 (2) ~~FOR SUBSEQUENT VIOLATIONS, THE DEPARTMENT MAY IMPOSE~~  
23 ~~ON THE LICENSEE OR REGISTRANT A PENALTY AUTHORIZED UNDER THIS TITLE~~

24 (1) THIS SUBSECTION APPLIES ONLY TO REGULATIONS ADOPTED ON  
25 OR AFTER JULY 1, 2026, THAT ADD NEW REGULATIONS OR SUBSTANTIVELY AMEND  
26 EXISTING REGULATIONS.

27 (2) THE DEPARTMENT SHALL ESTABLISH A GRACE PERIOD FOR THE  
28 IMPLEMENTATION OF NEW OR AMENDED REGULATIONS ADOPTED UNDER THIS  
29 TITLE.

30 (3) THE DEPARTMENT HAS DISCRETION TO DETERMINE WHEN A  
31 GRACE PERIOD MAY OR MAY NOT BE PROVIDED, INCLUDING WHEN:

1 (I) A REGULATION IS NECESSARY TO PROTECT THE HEALTH OR  
 2 SAFETY OF CHILDREN; OR

3 (II) A REGULATION IS NECESSARY TO ENSURE COMPLIANCE  
 4 WITH FEDERAL LAW.

5 9.5-107.

6 The Department may not suspend or revoke a license or registration unless the  
 7 Department gives to the licensee or registrant:

8 (1) Notice of the suspension or revocation at least 20 days before the  
 9 suspension or revocation;

10 (2) A statement of the grounds for the suspension or revocation; and

11 (3) An opportunity to be heard.

12 ~~9.5-118.~~

13 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
 14 ~~INDICATED.~~

15 ~~(2) (i) "APPLICANT" MEANS AN INDIVIDUAL WHO IS APPLYING FOR~~  
 16 ~~A POSITION INVOLVING DIRECT CONTACT WITH CHILDREN IN A LICENSED CHILD~~  
 17 ~~CARE CENTER, REGISTERED FAMILY CHILD CARE HOME, OR REGISTERED LARGE~~  
 18 ~~FAMILY CHILD CARE HOME.~~

19 ~~(ii) "APPLICANT" INCLUDES A VOLUNTEER OR AN ADDITIONAL~~  
 20 ~~ADULT WHO ASSISTS A CHILD CARE PROVIDER IN CARING FOR CHILDREN IN A~~  
 21 ~~FAMILY CHILD CARE HOME OR A LARGE FAMILY CHILD CARE HOME.~~

22 ~~(3) "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE~~  
 23 ~~INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC~~  
 24 ~~SAFETY AND CORRECTIONAL SERVICES.~~

25 ~~(B) AN APPLICANT TO A FAMILY CHILD CARE HOME, A LARGE FAMILY CHILD~~  
 26 ~~CARE HOME, OR A CHILD CARE CENTER SHALL SUBMIT TO A CRIMINAL HISTORY~~  
 27 ~~RECORDS CHECK IN ACCORDANCE WITH § 5-555 OF THE FAMILY LAW ARTICLE.~~

28 ~~(C) (1) (i) THE DEPARTMENT SHALL ESTABLISH A UNIT WITHIN THE~~  
 29 ~~DEPARTMENT FOR THE DEDICATED PURPOSE OF PROCESSING AND MANAGING~~  
 30 ~~INFORMATION ABOUT CRIMINAL HISTORY RECORDS CHECKS FOR APPLICANTS TO~~  
 31 ~~PROVIDE CHILD CARE SERVICES.~~

1           ~~(H) THE UNIT MAY BE STAFFED BY EXISTING EMPLOYEES IN~~  
2 ~~THE REGIONAL CHILD CARE LICENSING OFFICES THROUGHOUT THE STATE.~~

3           ~~(2) (I) WITHIN 10 DAYS AFTER RECEIVING AN APPLICATION FOR A~~  
4 ~~CRIMINAL HISTORY RECORDS CHECK, THE UNIT SHALL ACKNOWLEDGE RECEIPT~~  
5 ~~AND NOTIFY THE INDIVIDUAL REGARDING THE STATUS OF THE APPLICATION.~~

6           ~~(H) SUBJECT TO RECEIPT OF CRIMINAL HISTORY RECORDS~~  
7 ~~INFORMATION FROM THE CENTRAL REPOSITORY, WITHIN 30 DAYS AFTER~~  
8 ~~RECEIVING AN APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE UNIT~~  
9 ~~SHALL NOTIFY THE INDIVIDUAL REGARDING THE INDIVIDUAL'S ELIGIBILITY TO~~  
10 ~~PROVIDE CHILD CARE SERVICES IN A LICENSED OR REGISTERED CHILD CARE~~  
11 ~~PROGRAM.~~

12           ~~(D) (1) A CRIMINAL HISTORY RECORDS CHECK OF AN INDIVIDUAL~~  
13 ~~APPROVED TO PROVIDE CHILD CARE SERVICES SHALL REMAIN VALID FOR 5 YEARS.~~

14           ~~(2) (I) THE UNIT SHALL MAINTAIN A LIST OF INDIVIDUALS WHO~~  
15 ~~HAVE SUBMITTED CRIMINAL HISTORY RECORDS CHECKS IN ACCORDANCE WITH~~  
16 ~~THIS SECTION.~~

17           ~~(H) THE UNIT MAY SHARE THE NAME AND STATUS OF AN~~  
18 ~~INDIVIDUAL ON THE LIST WITH:~~

19                   ~~1. A LICENSED CHILD CARE CENTER, REGISTERED~~  
20 ~~FAMILY CHILD CARE HOME, OR REGISTERED LARGE FAMILY CHILD CARE HOME AT~~  
21 ~~WHICH THE INDIVIDUAL SEEKS TO VOLUNTEER OR BE EMPLOYED; AND~~

22                   ~~2. THE INDIVIDUAL.~~

23           ~~(3) THE UNIT SHALL, ON REQUEST BY AN INDIVIDUAL OR CHILD CARE~~  
24 ~~PROVIDER, PROVIDE WRITTEN NOTICE TO A LICENSED CHILD CARE CENTER,~~  
25 ~~REGISTERED FAMILY CHILD CARE HOME, OR REGISTERED LARGE FAMILY CHILD~~  
26 ~~CARE HOME THAT AN INDIVIDUAL WHO SEEKS TO BE EMPLOYED BY OR VOLUNTEER~~  
27 ~~WITH THE CHILD CARE PROVIDER HAS A VALID CRIMINAL HISTORY RECORDS CHECK~~  
28 ~~ON FILE WITH THE DEPARTMENT.~~

29           ~~(E) (1) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY IN~~  
30 ~~ACCORDANCE WITH THIS SECTION:~~

31                   ~~(I) IS CONFIDENTIAL;~~

32                   ~~(II) MAY NOT BE REDISSEMINATED; AND~~

1                    ~~(III) MAY BE USED ONLY FOR THE PURPOSES STATED IN THIS~~  
 2 ~~SECTION.~~

3                    ~~(2) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER~~  
 4 ~~THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORDS~~  
 5 ~~CHECK ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE~~  
 6 ~~CRIMINAL PROCEDURE ARTICLE.~~

7 9.5-303.

8            (a) The State Board shall adopt regulations that relate to the registration of  
 9 family child care homes and large family child care homes.

10           (b) So far as practicable, the regulations shall be uniform with the rules and  
 11 regulations adopted by other State agencies as those rules and regulations relate to other  
 12 types of child care.

13           (c) At a minimum, the regulations shall provide for:

14            (1) Minimum standards of environmental health and safety, including  
 15 provisions for:

16            (i) Adequate and safe physical surroundings, including  
 17 requirements for window coverings in accordance with § 5-505 of the Family Law Article;

18            (ii) The physical and mental health of child care providers; [and]

19            (iii) Investigation of any criminal record of a child care provider; AND

20                    **(IV) MAINTAINING EMERGENCY INFORMATION FROM A CHILD'S**  
 21 **PARENT OR GUARDIAN THAT IS UPDATED AS NEEDED AND REVIEWED BY THE**  
 22 **PARENT OR GUARDIAN AT LEAST ONCE EACH YEAR;**

23            (2) A thorough evaluation of each prospective family child care home, large  
 24 family child care home, and child care provider, to be completed before the Department  
 25 accepts an initial registration;

26            (3) An initial family child care registration that expires 2 years after its  
 27 effective date;

28            (4) A continuing family child care registration that:

29            (i) Upon application by the child care provider that meets the  
 30 requirements set by the Department, is issued to the provider before the end of the initial  
 31 registration period; and

1 (ii) Once issued, remains in effect until surrendered, suspended,  
2 revoked, or replaced by a conditional registration;

3 (5) Reporting of any changed circumstances that relate to the  
4 requirements, by the child care provider, at the time the change occurs;

5 (6) An orientation to be provided to prospective child care providers by the  
6 Department before initial registration;

7 (7) Announced inspection by the Department of each registered family  
8 child care home and large family child care home prior to issuance of an initial or continuing  
9 registration to determine whether applicable requirements are being met;

10 (8) Unannounced inspection by the Department of each registered family  
11 child care home and large family child care home at least once during each 12-month period  
12 that an initial or continuing registration is in effect to determine whether safe and  
13 appropriate child care is being provided;

14 (9) Procedures to be followed by the Department in response to a complaint  
15 about a family child care home or large family child care home **THAT:**

16 (I) **MAKE USE OF A UNIFORM COMPLAINT INTAKE PROCESS;**  
17 **AND**

18 (II) **~~IMPLEMENT~~ ON OR BEFORE JULY 1, 2027, IMPLEMENT A**  
19 **STANDARDIZED COMPLAINT PRIORITY GUIDE THAT DIFFERENTIATES COMPLAINTS**  
20 **BY THE SERIOUSNESS OF THE ISSUE RAISED, INCLUDING DEFINED RESPONSE TIMES**  
21 **FOR EACH LEVEL OF COMPLAINT;**

22 (10) A requirement that each registered child care provider shall hold a  
23 current certificate indicating successful completion of approved:

24 (i) Basic first aid training through the American Red Cross or  
25 through a program with equivalent standards; and

26 (ii) Cardiopulmonary resuscitation (CPR) training through the  
27 American Heart Association or through a program with equivalent standards appropriate  
28 for the ages of children for whom care is provided in the family child care home or large  
29 family child care home;

30 (11) A requirement that the minimum age of a family child care teacher in  
31 a registered large family child care home be at least 18 years old and that an individual not  
32 be precluded from being a family child care teacher solely for being 18 years old;

1 (12) (i) A requirement that a family child care home or large family child  
2 care home that receives notice of a contaminated drinking water supply from the family  
3 child care home's or large family child care home's supplier of water, in accordance with §  
4 9–410 of the Environment Article or otherwise, send notice of the drinking water  
5 contamination to the parent or legal guardian of each child attending the family child care  
6 home or large family child care home; and

7 (ii) A requirement that the notice sent by the family child care home  
8 or large family child care home shall:

9 1. Be sent within 10 business days after receipt of the notice  
10 of contamination from the family child care home's or large family child care home's water  
11 supplier;

12 2. Be in writing;

13 3. Identify the contaminants and their levels in the family  
14 child care home's or large family child care home's water supply; and

15 4. Describe the family child care home's or large family child  
16 care home's plan for dealing with the water contamination problem until the family child  
17 care home's or large family child care home's water is determined by the appropriate  
18 authority to be safe for consumption; and

19 (13) A requirement that a family child care home or large family child care  
20 home prohibit the administration of corporal punishment to discipline a child.

21 (d) The State Board shall adopt regulations that:

22 (1) Require a family child care provider to have a written emergency  
23 preparedness plan for emergency situations that require evacuation, sheltering in place, or  
24 other protection of children such as in the event of fire, natural disaster, or other  
25 threatening situation that may pose a health or safety hazard to the children in the family  
26 child care home or large family child care home;

27 (2) Require the plan under item (1) of this subsection to include:

28 (i) A designated relocation site and evacuation route;

29 (ii) Procedures for notifying parents or other adults responsible for  
30 the child of the relocation;

31 (iii) Procedures to address the needs of individual children including  
32 children with special needs;

33 (iv) Procedures for the reassignment of staff duties during an  
34 emergency, as appropriate; and

1 (v) Procedures for communicating with local emergency  
2 management officials or other appropriate State or local authorities; and

3 (3) Require a family child care provider to train staff and ensure that staff  
4 are familiar with the plan.

5 9.5-306.

6 (a) A registration under this subtitle may be revoked, a child care provider may  
7 appeal from the revocation, and the operation of an unregistered family child care home  
8 may be enjoined.

9 (b) (1) Revocation, appeal, or injunction under this subtitle shall be in  
10 accordance with Subtitle 1 of this title ~~AND SUBJECT TO § 9.5-306.1 OF THIS SUBTITLE.~~

11 (2) Subject to paragraph (1) of this subsection, the State Superintendent or  
12 the State Superintendent's designee shall exercise the authority granted to the  
13 Department.

14 ~~9.5-306.1.~~

15 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
16 ~~INDICATED.~~

17 ~~(2) "MARYLAND EXCELS" MEANS THE TIERED QUALITY RATING AND~~  
18 ~~IMPROVEMENT SYSTEM FOR EARLY CARE AND EDUCATION PROGRAMS~~  
19 ~~ESTABLISHED BY THE DEPARTMENT.~~

20 ~~(3) "PUBLISHED" MEANS A MARYLAND EXCELS STATUS~~  
21 ~~INDICATING THAT THE EARLY CARE AND EDUCATION PROGRAM HAS:~~

22 ~~(I) MET THE MARYLAND EXCELS REQUIREMENTS FOR A~~  
23 ~~SPECIFIED QUALITY RATING; AND~~

24 ~~(II) A QUALITY RATING PUBLISHED ON THE MARYLAND~~  
25 ~~EXCELS PUBLIC PORTAL FOR PUBLIC VIEWING.~~

26 ~~(4) "QUALITY RATING" MEANS A DETERMINATION, REPRESENTED BY~~  
27 ~~A NUMBER FROM 1 THROUGH 5, THAT A PARTICIPATING PROGRAM HAS MET THE~~  
28 ~~CRITERIA APPLICABLE TO A PARTICULAR SET OF MARYLAND EXCELS STANDARDS.~~

29 ~~(B) IF THE DEPARTMENT DETERMINES THAT A FAMILY CHILD CARE~~  
30 ~~PROVIDER WITH A PUBLISHED MARYLAND EXCELS QUALITY RATING HAS~~  
31 ~~VIOLATED A REQUIREMENT OF THIS TITLE OR A RULE OR REGULATION ADOPTED~~

~~1 UNDER THIS TITLE, THE DEPARTMENT IMMEDIATELY SHALL NOTIFY THE FAMILY  
2 CHILD CARE PROVIDER OF THE VIOLATION.~~

~~3 (C) THE DEPARTMENT AND THE FAMILY CHILD CARE PROVIDER SHALL  
4 ENTER INTO AN AGREEMENT THAT DESCRIBES:~~

~~5 (1) THE NATURE OF THE VIOLATION;~~

~~6 (2) THE ACTIONS TO BE TAKEN BY THE FAMILY CHILD CARE  
7 PROVIDER TO BECOME COMPLIANT; AND~~

~~8 (3) A PLAN FOR FOLLOW UP BY THE DEPARTMENT TO ENSURE THAT  
9 THE FAMILY CHILD CARE PROVIDER HAS RETURNED TO AND REMAINS FULLY  
10 COMPLIANT WITH THE REQUIREMENTS OF THIS TITLE OR A RULE OR REGULATION  
11 THAT WAS PREVIOUSLY VIOLATED.~~

~~12 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
13 THE DEPARTMENT MAY REDUCE OR RESCIND A PUBLISHED MARYLAND EXCELS  
14 QUALITY RATING IF THE FAMILY CHILD CARE PROVIDER:~~

~~15 (I) FAILS TO COMPLY WITH THE TERMS OF THE AGREEMENT OR  
16 OTHERWISE FAILS TO CURE THE INITIAL VIOLATION; OR~~

~~17 (II) FAILS OR REFUSES TO ENTER INTO AN AGREEMENT.~~

~~18 (2) IF THE DEPARTMENT DETERMINES THAT THE VIOLATION DID NOT  
19 INVOLVE AN IMMEDIATE RISK TO CHILD SAFETY AND THE FAMILY CHILD CARE  
20 PROVIDER TIMELY RETURNED TO COMPLIANCE, THE DEPARTMENT MAY NOT  
21 REDUCE THE PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE FAMILY  
22 CHILD CARE PROVIDER.~~

~~23 (E) IF THE DEPARTMENT REDUCED THE PUBLISHED MARYLAND EXCELS  
24 QUALITY RATING OF A FAMILY CHILD CARE PROVIDER, WITHIN 30 DAYS OF THE  
25 PROVIDER RETURNING TO COMPLIANCE BY FULFILLING THE TERMS OF THE  
26 AGREEMENT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE  
27 DEPARTMENT SHALL RESTORE THE PUBLISHED MARYLAND EXCELS QUALITY  
28 RATING OF THE FAMILY CHILD CARE PROVIDER TO THE QUALITY RATING EARNED  
29 BEFORE THE VIOLATION OCCURRED.~~

30 9.5-404.

31 (a) The State Board shall adopt rules and regulations for licensing and operating  
32 child care centers.

- 1 (b) These rules and regulations shall:
- 2 (1) Ensure safe and sanitary conditions in child care centers;
- 3 (2) Ensure proper care, protection, and supervision of children in child care  
4 centers, **INCLUDING ESTABLISHING PROCEDURES TO BE FOLLOWED BY THE**  
5 **DEPARTMENT IN RESPONSE TO A COMPLAINT ABOUT A CHILD CARE CENTER THAT:**
- 6 (I) **MAKE USE OF A UNIFORM COMPLAINT INTAKE PROCESS;**  
7 **AND**
- 8 (II) **IMPLEMENT A STANDARDIZED COMPLAINT PRIORITY GUIDE**  
9 **THAT DIFFERENTIATES COMPLAINTS BY THE SERIOUSNESS OF THE ISSUE RAISED,**  
10 **INCLUDING DEFINED RESPONSE TIMES FOR EACH LEVEL OF COMPLAINT;**
- 11 (3) Ensure the health of children in child care centers by:
- 12 (i) Monitoring children for signs and symptoms of child abuse;
- 13 (ii) Instructing licensees and staff concerning child abuse detection  
14 and reporting;
- 15 (III) **REQUIRING THE MAINTENANCE OF EMERGENCY**  
16 **INFORMATION FROM A CHILD'S PARENT OR GUARDIAN THAT IS UPDATED AS NEEDED**  
17 **AND REVIEWED BY THE PARENT OR GUARDIAN AT LEAST ONCE EACH YEAR;**
- 18 [(iii)] (IV) Monitoring health practices to help prevent the spread of  
19 disease;
- 20 [(iv)] (V) Monitoring the care of infants and children with special  
21 needs; and
- 22 [(v)] (VI) Prohibiting the administration of corporal punishment to  
23 discipline a child;
- 24 (4) Promote the sound growth and development of children in child care  
25 centers;
- 26 (5) Promote proper nutrition and developmentally appropriate practices  
27 by:
- 28 (i) Establishing training and policies promoting breast-feeding;
- 29 (ii) 1. Requiring compliance with the United States Department  
30 of Agriculture Child and Adult Care Food Program standards for beverages served to

1 children, except that milk that is not nonfat or low fat may be ordered by a health care  
2 practitioner or requested by a parent or guardian; and

3                                   2. Prohibiting beverages other than infant formula that  
4 contain added sweetener or caffeine; and

5                                   (iii) Setting limits on screen time;

6                                   (6) Carry out otherwise the purposes and requirements of this subtitle,  
7 including, ~~WHEN NECESSARY, BY ENFORCEMENT THROUGH:~~

8                                   ~~(I) THE~~ imposition of intermediate sanctions to ensure compliance;

9                                   ~~(II) ALTERATIONS IN THE MARYLAND EXCELS QUALITY~~  
10 ~~RATING IN ACCORDANCE WITH § 9.5-411.1 OF THIS SUBTITLE; AND~~

11                                   ~~(III) INDIVIDUALIZED PENALTIES IN ACCORDANCE WITH §~~  
12 ~~9.5-411.2 OF THIS SUBTITLE;~~

13                                   (7) Prohibit a child from remaining at a child care center for more than 14  
14 hours in 1 day unless the Department issues an exception for that child based on guidelines  
15 set by the State Superintendent;

16                                   (8) (i) Require that a child care center have in attendance at all times  
17 at least 1 individual who is responsible for supervision of children, including children on  
18 field trips, and who holds a current certificate indicating successful completion of approved:

19   1. Basic first aid training through the American Red Cross  
20 or through a program with equivalent standards; and

21   2. Cardiopulmonary resuscitation (CPR) training through  
22 the American Heart Association or through a program with equivalent standards  
23 appropriate for the ages of children for whom care is provided in the child care center; and

24   (ii) Require that a child care center serving more than 20 children  
25 have in attendance certificate holders described in item (i) of this item in a ratio of  
26 certificate holders to children set by the Department;

27                                   (9) Require that [the minimum age of a child care teacher in a child care  
28 center be] **A CHILD CARE TEACHER IN A CHILD CARE CENTER:**

29   **(I) BE** at least 18 years old and [an individual] may not be  
30 precluded from being a child care teacher solely for being 18 years old; **AND**

1                   (II) ~~COMPLETE~~ BEGINNING JULY 1, 2027, COMPLETE ACTIVE  
2 SUPERVISION TRAINING WITHIN 90 DAYS AFTER BEING HIRED AS A CHILD CARE  
3 TEACHER; ~~AND~~

4                   ~~(III) MEET EXPERIENTIAL AND EDUCATIONAL REQUIREMENTS~~  
5 ~~THAT REQUIRE NOT MORE THAN 6 MONTHS OR 750 HOURS OF WORK WITH YOUNG~~  
6 ~~CHILDREN IN A SUPERVISORY SETTING;~~

7                   (10) (i) Require that a child care center that receives notice of a  
8 contaminated drinking water supply from the child care center's supplier of water, in  
9 accordance with § 9-410 of the Environment Article or otherwise, send notice of the  
10 drinking water contamination to the parent or legal guardian of each child attending the  
11 child care center; and

12                               (ii) Require that the notice sent by the child care center shall:

13                                       1. Be sent within 10 business days after receipt of the notice  
14 of contamination from the child care center's water supplier;

15                                       2. Be in writing;

16                                       3. Identify the contaminants and their levels in the center's  
17 water supply; and

18                                       4. Describe the child care center's plan for dealing with the  
19 water contamination problem until the child care center's water is determined by the  
20 appropriate authority to be safe for consumption;

21                   (11) (i) Require a child care center to have a written emergency  
22 preparedness plan for emergency situations that require evacuation, sheltering in place, or  
23 other protection of children, such as in the event of fire, natural disaster, or other  
24 threatening situation that may pose a health or safety hazard to the children in the child  
25 care center;

26                               (ii) Require the plan under item (i) of this item to include:

27                                       1. A designated relocation site and evacuation route;

28                                       2. Procedures for notifying parents or other adults  
29 responsible for the child of the relocation;

30                                       3. Procedures to address the needs of individual children,  
31 including children with special needs;

32                                       4. Procedures for the reassignment of staff duties during an  
33 emergency, as appropriate; and

1                                   5.     Procedures for communicating with local emergency  
2 management officials or other appropriate State or local authorities; and

3                                   (iii)    Require a child care center to train staff and ensure that staff are  
4 familiar with the plan;

5                                   (12)    Require a child care center to have window coverings in accordance with  
6 § 5–505 of the Family Law Article; and

7                                   (13)    Subject to subsection (c) of this section, establish probationary  
8 employment qualifications for an individual who is applying for the first time to be a child  
9 care teacher in a child care center in the State that serves preschool or school–age children  
10 who are at least 3 years old.

11                                  (c)    (1)    The probationary employment qualifications established under  
12 subsection (b)(13) of this section shall allow an individual to be employed as a child care  
13 teacher during a probationary period if the individual:

14                                   (i)    1.     Is enrolled in approved pre–service training;

15   2.     Successfully completes the required 90 hours of the  
16 approved pre–service training within 6 months after being hired; and

17   3.     Holds an associate degree or a bachelor’s degree in:

18   A.     Early childhood education;

19   B.     Elementary education;

20   C.     Child development;

21   D.     Home economics;

22   E.     Nursing;

23   F.     Social work;

24   G.     Special education; or

25   H.     A related field approved by the Department; or

26                                   (ii)    1.     Is enrolled in approved pre–service training;

27   2.     Has successfully completed at least 45 hours of the  
28 approved pre–service training at the time the child care center hires the individual;

1                   3.     Successfully completes the remaining hours of the  
2 pre-service training within 6 months after being hired; and

3                   4.     Holds an associate degree or a bachelor's degree in a field  
4 other than a field listed under item (i)3 of this paragraph.

5                   (2)    If, at the end of the 6-month probationary period, an individual  
6 described in paragraph (1) of this subsection has not completed the required pre-service  
7 training, the child care center shall, with no further cause, terminate the individual or  
8 reassign the individual to a nonteaching position.

9 9.5-411.

10           (a)    Subject to the hearing requirements of this section, the Department may deny  
11 a license or letter of compliance to any applicant or deny approval for a change under §  
12 9.5-408 of this subtitle if the applicant or proposed change does not meet the requirements  
13 of this subtitle.

14           (b)    ~~(1)~~   Subject to the hearing requirements of this section and § 9.5-415 of this  
15 subtitle ~~AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION~~, the State  
16 Superintendent may suspend or revoke a license or letter of compliance if the licensee:

17                   ~~{(1)}~~ ~~(H)~~   Violates a provision of this subtitle or any rule or regulation  
18 adopted under it; or

19                   ~~{(2)}~~ ~~(H)~~   Does not meet the current requirements for a new license or  
20 letter of compliance.

21                   ~~(2)   IF A LICENSEE OR LETTER HOLDER VIOLATES A RULE OR~~  
22 ~~REGULATION ADOPTED UNDER THIS TITLE WITHIN THE FIRST YEAR OF ADOPTION~~  
23 ~~BY THE DEPARTMENT;~~

24                   ~~(I)   FOR THE FIRST VIOLATION, THE DEPARTMENT SHALL~~  
25 ~~WARN THE LICENSEE OR LETTER HOLDER AND DISCUSS THE TERMS OF THE NEW~~  
26 ~~RULE OR REGULATION; AND~~

27                   ~~(H)   FOR SUBSEQUENT VIOLATIONS, THE DEPARTMENT MAY~~  
28 ~~IMPOSE ON THE LICENSEE OR LETTER HOLDER A PENALTY AUTHORIZED UNDER~~  
29 ~~THIS TITLE.~~

30           (c)    (1)    Except as otherwise provided in subsection (d) of this section, before  
31 any action is taken under this section, the State Superintendent shall give the individual  
32 against whom the action is contemplated an opportunity for a public hearing before the  
33 State Superintendent.

1           (2)    The hearing notice to be given to the individual shall be sent at least 10  
2 days before the hearing.

3           (3)    The individual may be represented at the hearing by counsel.

4           (d)    (1)    (i)    The State Superintendent may suspend the license or letter of  
5 compliance to operate a child care center on an emergency basis when the State  
6 Superintendent determines that this action is required to protect the health, safety, or  
7 welfare of a child in the child care center.

8                           (ii)   When the State Superintendent suspends a license or letter of  
9 compliance on an emergency basis, the State Superintendent shall deliver written notice of  
10 the suspension to the licensee stating the regulatory basis for the suspension.

11           (2)    (i)    Upon delivery of the emergency suspension notice, the licensee  
12 or letter holder shall cease immediately operation of the child care center.

13                           (ii)   The licensee or letter holder may request a hearing before the  
14 State Superintendent.

15           (3)    (i)    If a hearing is requested by the licensee or letter holder, the State  
16 Superintendent shall hold a hearing within 7 calendar days of the request for a hearing.  
17 The hearing shall be held in accordance with the Administrative Procedure Act.

18                           (ii)   Within 7 calendar days of the hearing a decision concerning the  
19 emergency suspension shall be made by the State Superintendent.

20           (4)    If the emergency suspension order is upheld by the State  
21 Superintendent, the licensee or letter holder shall continue to cease operations until it is  
22 determined that the health, safety, or welfare of a child in the child care center is no longer  
23 threatened.

24           (5)    Any person aggrieved by a decision of the State Superintendent to  
25 uphold an emergency suspension may appeal that decision directly to the circuit court in  
26 the county in which the child care center is located.

27           (e)    The State Superintendent may petition the circuit court in the county in which  
28 the child care center is located to enjoin the activities and operations of a person who  
29 operates a child care center without a license or letter of compliance as required by this  
30 subtitle, including when a license or letter of compliance has been denied, revoked, or  
31 suspended in accordance with this subtitle.

32 ~~9.5 411.1~~

33           (A)    (1)    ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
34 ~~INDICATED.~~

1           ~~(2) "MARYLAND EXCELS" HAS THE MEANING STATED IN § 9.5-306.1~~  
2 ~~OF THIS TITLE.~~

3           ~~(3) "PUBLISHED" HAS THE MEANING STATED IN § 9.5-306.1 OF THIS~~  
4 ~~TITLE.~~

5           ~~(4) "QUALITY RATING" HAS THE MEANING STATED IN § 9.5-306.1 OF~~  
6 ~~THIS TITLE.~~

7           ~~(B) IF THE DEPARTMENT DETERMINES THAT A CHILD CARE CENTER WITH~~  
8 ~~A PUBLISHED MARYLAND EXCELS QUALITY RATING HAS VIOLATED A~~  
9 ~~REQUIREMENT OF THIS TITLE OR A RULE OR REGULATION ADOPTED UNDER THIS~~  
10 ~~TITLE, THE DEPARTMENT IMMEDIATELY SHALL NOTIFY THE OPERATOR OF THE~~  
11 ~~CHILD CARE CENTER OF THE VIOLATION.~~

12           ~~(C) THE DEPARTMENT AND THE OPERATOR OF THE CHILD CARE CENTER~~  
13 ~~SHALL ENTER INTO AN AGREEMENT THAT DESCRIBES:~~

14           ~~(1) THE NATURE OF THE VIOLATION;~~

15           ~~(2) THE ACTIONS TO BE TAKEN BY THE CHILD CARE CENTER TO~~  
16 ~~BECOME COMPLIANT; AND~~

17           ~~(3) A PLAN FOR FOLLOW-UP BY THE DEPARTMENT TO ENSURE THAT~~  
18 ~~THE CHILD CARE CENTER HAS RETURNED TO AND REMAINS FULLY COMPLIANT WITH~~  
19 ~~REQUIREMENTS OF THIS TITLE OR A RULE OR REGULATION THAT WAS PREVIOUSLY~~  
20 ~~VIOLATED.~~

21           ~~(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~  
22 ~~THE DEPARTMENT MAY REDUCE OR RESCIND A PUBLISHED MARYLAND EXCELS~~  
23 ~~QUALITY RATING IF THE CHILD CARE CENTER:~~

24           ~~(I) FAILS TO COMPLY WITH THE TERMS OF THE AGREEMENT OR~~  
25 ~~OTHERWISE FAILS TO CURE THE INITIAL VIOLATION; OR~~

26           ~~(II) FAILS OR REFUSES TO ENTER INTO AN AGREEMENT.~~

27           ~~(2) IF THE DEPARTMENT DETERMINES THAT THE VIOLATION DID NOT~~  
28 ~~INVOLVE AN IMMEDIATE RISK TO CHILD SAFETY AND THE CHILD CARE CENTER~~  
29 ~~TIMELY RETURNED TO COMPLIANCE, THE DEPARTMENT MAY NOT REDUCE THE~~  
30 ~~PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE CHILD CARE CENTER.~~

1 ~~(E) IF THE DEPARTMENT REDUCES THE PUBLISHED MARYLAND EXCELS~~  
2 ~~QUALITY RATING OF A CHILD CARE CENTER, WITHIN 30 DAYS AFTER THE CENTER~~  
3 ~~RETURNS TO COMPLIANCE BY FULFILLING THE TERMS OF THE AGREEMENT~~  
4 ~~REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL~~  
5 ~~RESTORE THE PUBLISHED MARYLAND EXCELS QUALITY RATING OF THE CHILD~~  
6 ~~CARE CENTER TO THE QUALITY RATING EARNED BEFORE THE VIOLATION~~  
7 ~~OCCURRED.~~

8 ~~(F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE ABILITY~~  
9 ~~OF THE STATE SUPERINTENDENT TO SUSPEND A LICENSE OR LETTER OF~~  
10 ~~COMPLIANCE ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY, OR~~  
11 ~~WELFARE OF CHILDREN IN ACCORDANCE WITH § 9.5-411 OF THIS SUBTITLE.~~

12 ~~9.5-411.2.~~

13 ~~(A) IN THIS SECTION, "FAILURE TO SUPERVISE" MEANS THE FAILURE OF AN~~  
14 ~~INDIVIDUAL RESPONSIBLE FOR OVERSEEING THE WELL-BEING OF CHILDREN TO~~  
15 ~~MONITOR PROPERLY OR PROTECT THE CHILDREN IN THE INDIVIDUAL'S CARE.~~

16 ~~(B) IF THE STATE SUPERINTENDENT DETERMINES THAT AN INDIVIDUAL~~  
17 ~~MAY NOT BE EMPLOYED BY A CHILD CARE OPERATOR DUE TO A FINDING OF A~~  
18 ~~FAILURE TO SUPERVISE, THE STATE SUPERINTENDENT SHALL PROVIDE WRITTEN~~  
19 ~~NOTICE TO THE INDIVIDUAL AND THE CHILD CARE CENTER OPERATOR THAT~~  
20 ~~INCLUDES:~~

21 ~~(1) A STATEMENT OF THE FINDING; AND~~

22 ~~(2) THE REASONS FOR THE FINDING.~~

23 ~~(C) THE DEPARTMENT SHALL MAINTAIN A LIST OF INDIVIDUALS WHO ARE~~  
24 ~~PROHIBITED FROM EMPLOYMENT IN A CHILD CARE CENTER DUE TO A FAILURE TO~~  
25 ~~SUPERVISE UNDER SUBSECTION (B) OF THIS SECTION.~~

26 ~~(D) (1) AN INDIVIDUAL PROHIBITED FROM EMPLOYMENT ON THE LIST~~  
27 ~~UNDER SUBSECTION (C) OF THIS SECTION MAY REQUEST A CONDUCT~~  
28 ~~REASSESSMENT AND REMOVAL FROM THE LIST IF THE INDIVIDUAL:~~

29 ~~(I) SUBMITS A WRITTEN REQUEST TO THE DEPARTMENT,~~  
30 ~~INCLUDING ANY DOCUMENTATION REQUIRED BY THE DEPARTMENT;~~

31 ~~(II) COMPLETES ACTIVE SUPERVISION TRAINING APPROVED BY~~  
32 ~~THE DEPARTMENT; AND~~

1 ~~(H) COMPLETES ANY OTHER CORRECTIVE ACTIONS REQUIRED~~  
2 ~~BY THE DEPARTMENT.~~

3 ~~(2) IF AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION~~  
4 ~~COMPLETES THE REQUIREMENTS ESTABLISHED BY THE DEPARTMENT TO THE~~  
5 ~~SATISFACTION OF THE STATE SUPERINTENDENT, THE INDIVIDUAL SHALL BE~~  
6 ~~REMOVED FROM THE LIST UNDER SUBSECTION (C) OF THIS SECTION AND ELIGIBLE~~  
7 ~~FOR EMPLOYMENT AT A CHILD CARE CENTER.~~

8 ~~(E) IF THE STATE SUPERINTENDENT DETERMINES THAT A VIOLATION OF~~  
9 ~~THIS TITLE OR A RULE OR REGULATION ADOPTED UNDER THIS TITLE FOR A FAILURE~~  
10 ~~TO SUPERVISE WAS DUE ONLY TO THE CONDUCT OF AN INDIVIDUAL PROHIBITED~~  
11 ~~FROM EMPLOYMENT UNDER SUBSECTION (B) OF THIS SECTION, THE STATE~~  
12 ~~SUPERINTENDENT MAY NOT SANCTION THE CHILD CARE CENTER FOR THE~~  
13 ~~VIOLATION.~~

14 ~~(F) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE ABILITY~~  
15 ~~OF THE STATE SUPERINTENDENT TO SUSPEND A LICENSE OR LETTER OF~~  
16 ~~COMPLIANCE ON AN EMERGENCY BASIS TO PROTECT THE HEALTH, SAFETY, OR~~  
17 ~~WELFARE OF CHILDREN IN ACCORDANCE WITH § 9.5-411 OF THIS SUBTITLE.~~

18 ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

19 ~~(a) There is a Workgroup to Study Illegally Provided Child Care.~~

20 ~~(b) The Workgroup consists of the following members:~~

21 ~~(1) two members of the Senate of Maryland, appointed by the President of~~  
22 ~~the Senate;~~

23 ~~(2) two members of the House of Delegates, appointed by the Speaker of~~  
24 ~~the House;~~

25 ~~(3) the State Superintendent of Schools, or the Superintendent's designee;~~

26 ~~(4) the Secretary of Human Services, or the Secretary's designee;~~

27 ~~(5) one representative of the Maryland Family Network, designated by the~~  
28 ~~Executive Director of the Maryland Family Network;~~

29 ~~(6) one representative of the Maryland State Child Care Association,~~  
30 ~~designated by the President of the Maryland State Child Care Association;~~

1 ~~(7) one representative of the Maryland State Family Child Care~~  
2 ~~Association, designated by the President of the Maryland State Family Child Care~~  
3 ~~Association;~~

4 ~~(8) one representative of the Maryland Head Start Association, designated~~  
5 ~~by the President of the Maryland Head Start Association;~~

6 ~~(9) one representative of the Latino Child Care Association of Maryland,~~  
7 ~~Inc., designated by the President of the Latino Child Care Association of Maryland, Inc.;~~  
8 ~~and~~

9 ~~(10) the following members appointed by the Governor:~~

10 ~~(i) two parents of children enrolled in the Child Care Scholarship~~  
11 ~~Program;~~

12 ~~(ii) two representatives from child care providers that:~~

13 ~~1. serve children under the age of 5 years; and~~

14 ~~2. accept scholarships from the Child Care Scholarship~~  
15 ~~Program;~~

16 ~~(iii) one representative of a labor union that represents child care~~  
17 ~~workers;~~

18 ~~(iv) two representatives of law enforcement; and~~

19 ~~(v) two nonvoting representatives of national child care policy~~  
20 ~~organizations with expertise in state child care financing models.~~

21 ~~(c) The State Superintendent of Schools shall designate the chair of the~~  
22 ~~Workgroup.~~

23 ~~(d) The State Department of Education shall provide staff for the Workgroup.~~

24 ~~(e) A member of the Workgroup:~~

25 ~~(1) may not receive compensation as a member of the Workgroup; but~~

26 ~~(2) is entitled to reimbursement for expenses under the Standard State~~  
27 ~~Travel Regulations, as provided in the State budget.~~

28 ~~(f) The Workgroup shall study and make recommendations about the scale and~~  
29 ~~impacts of illegally provided child care in the State, including:~~

1 ~~(1) the number, geographic location, socioeconomic status, race, ethnicity,~~  
2 ~~and disability status of children who lack access to safe, regulated child care;~~

3 ~~(2) the impact of illegally provided care on family child care homes, large~~  
4 ~~family child care homes, child care centers, and the child care industry as a whole;~~

5 ~~(3) barriers to registration or licensure for child care providers and the best~~  
6 ~~practices to remove identified barriers, including greater assistance to providers, improved~~  
7 ~~communication between regulators and providers, or regulatory or statutory changes;~~

8 ~~(4) the distinct, documented risks to the health and safety of children of~~  
9 ~~illegally provided child care and potential health and safety risks that illegally provided~~  
10 ~~child care could pose to children; and~~

11 ~~(5) any legal changes necessary to prevent illegally provided child care,~~  
12 ~~including any statutory or regulatory changes necessary to ease the investigation and~~  
13 ~~enforcement of existing State law.~~

14 ~~(g) (1) On or before January 1, 2027, the Workgroup shall submit an interim~~  
15 ~~report on its findings and recommendations to the Governor and, in accordance with §~~  
16 ~~2-1257 of the State Government Article, the General Assembly.~~

17 ~~(2) On or before December 1, 2028, the Workgroup shall submit a final~~  
18 ~~report on its findings and recommendations to the Governor and, in accordance with §~~  
19 ~~2-1257 of the State Government Article, the General Assembly.~~

20 SECTION 2. AND BE IT FURTHER ENACTED, That:

21 (a) The State Department of Education and the Office of the Child Care Advocacy  
22 Council jointly shall review:

23 (1) the impact of the rating reductions for Maryland EXCELS; and

24 (2) experiential education requirements for child care providers.

25 (b) In conducting the review, the report from the Office of Program Evaluation  
26 and Government Accountability of the Department of Legislative Services titled  
27 “Evaluation of the Division of Early Childhood” shall be considered.

28 (c) On or before December 1, 2027, the Department shall report to the General  
29 Assembly, in accordance with § 2-1257 of the State Government Article, on:

30 (1) findings from the review; and

31 (2) recommendations for statutory or regulatory changes to address  
32 workforce and licensing challenges.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2 1, 2026. Section 2 of this Act shall remain effective for a period of ~~3~~ 2 years and, at the end  
3 of June 30, ~~2029~~ 2028, Section 2 of this Act, with no further action required by the General  
4 Assembly, shall be abrogated and of no further force and effect.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.