

2026 -- H 7799

LC004985

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- LICENSING AND
MONITORING OF CHILD DAYCARE PROVIDERS

Introduced By: Representatives Shallcross Smith, Boylan, Corvese, Kislak, Fellela,
DeSimone, Fogarty, Nardone, Furtado, and J. Lombardi

Date Introduced: February 12, 2026

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.5-5 of the General Laws in Chapter 42-12.5 entitled "Licensing
2 and Monitoring of Child Daycare Providers" is hereby amended to read as follows:

3 **42-12.5-5. General licensing provisions.**

4 The following general licensing provisions shall apply:

5 (1) A license issued under this chapter is not transferable and applies only to the licensee
6 and the location stated in the application and remains the property of the department. A license
7 shall be publicly displayed. A license shall be valid for ~~one year~~ two (2) years from the date of issue
8 and upon continuing compliance with the regulations, ~~except that a certificate issued to a family~~
9 ~~daycare home shall be valid for two (2) years from the date of issue.~~

10 (2) Every license application issued pursuant to § 42-12.5-4 shall be accompanied by a
11 nonrefundable application fee paid to the state of Rhode Island as follows:

- 12 (i) Child daycare center license — five hundred dollars (\$500);
13 (ii) Group family daycare home license — two hundred fifty dollars (\$250); and
14 (iii) Family daycare home license — one hundred dollars (\$100).

15 (3) All fees collected by the state pursuant to subsection (2) of this section shall be
16 deposited by the general treasurer as general revenues.

17 (4) A licensee shall comply with applicable state fire and health safety standards.

18 (5) The department may grant a provisional license to an applicant who is not able to

1 demonstrate compliance with all of the regulations because the program or residence is not in full
2 operation; however, the applicant must meet all regulations that can be met in the opinion of the
3 administrator before the program is fully operational. The provisional license shall be granted for
4 a limited period not to exceed six (6) months and shall be subject to review every three (3) months.

5 (6) The department may grant a probationary license to a licensee who is temporarily
6 unable to comply with a rule or rules when the noncompliance does not present an immediate threat
7 to the health and well-being of the children, and when the licensee has obtained a plan approved
8 by the administrator to correct the areas of noncompliance within the probationary period. A
9 probationary license shall be issued for up to twelve (12) months; it may be extended for an
10 additional six (6) months at the discretion of the administrator. A probationary license that states
11 the conditions of probation may be issued by the administrator at any time for due cause. Any prior
12 existing license is invalidated when a probationary license is issued. When the probationary license
13 expires, the administrator may reinstate the original license to the end of its term, issue a new
14 license, suspend, or revoke the license.

15 (7) The administrator will establish criteria and procedure for granting variances as part of
16 the regulations.

17 (8) The above exceptions (probationary and provisional licensing and variances) do not
18 apply to and shall not be deemed to constitute any variance from state fire and health safety
19 standards. However, if a request for a variance of fire inspection deficiencies has been submitted
20 to the fire safety code board of appeal and review, DHS may grant a provisional license to terminate
21 no later than thirty (30) days following the board's decision on said variance.

22 (9) A license under this chapter shall be granted to a child daycare program without the
23 necessity for a separate fire, building, or radon inspection, when said child daycare program is
24 conducted at a Rhode Island elementary or secondary school that has already been found in
25 compliance with said inspections, provided that an applicant complies with all other provisions of
26 DHS regulations, or has been granted appropriate variances by the department.

27 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would amend the law so that child daycare providers would be required to renew
- 2 their licenses every two (2) years, instead of the current yearly renewal requirement.
- 3 This act would take effect upon passage.

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