



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3780/1
MDE&EHS:cjs

2025 SENATE BILL 364

June 27, 2025 - Introduced by Senators CABRAL-GUEVARA and NASS, cosponsored by Representatives GOEBEN, SPIROS, BROOKS, KREIBICH, O'CONNOR, GUSTAFSON, GUNDRUM, DUCHOW, DITTRICH, KNODL, PENTERMAN, NEDWESKI, MURPHY, HURD, NOVAK, GREEN, BEHNKE, B. JACOBSON, TUCKER, KAUFERT and ALLEN. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

- 1 **AN ACT** *to renumber and amend* 48.67; *to amend* 48.65 (3) (a) and 66.1017
2 (1) (a); *to create* 48.67 (2m) and 101.01 (11) (e) of the statutes; **relating to:**
3 the regulation of family and group child care centers.

Analysis by the Legislative Reference Bureau

Under current law, a person must obtain a license from the Department of Children and Families in order to provide, for compensation, care and supervision for four or more children under the age of seven for less than 24 hours a day. Under current DCF rules, DCF regulates a child care center that provides care and supervision for four to eight children as a “family child care center” and one that provides care and supervision for nine or more children as a “group child care center.” The rules specify, among other things, the required ratio of providers to children in each type of child care center.

This bill requires DCF to authorize licensed child care centers that have sufficient staff and space to provide care and supervision for four to 12 children or for 13 or more children. The bill requires DCF to update its rules so that a family child care center provides care and supervision for four to 12 children and a group child care center provides care and supervision for 13 or more children.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

SENATE BILL 364**SECTION 1**

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.65 (3) (a) of the statutes is amended to read:

48.65 (3) (a) Except as provided in par. (c), before the department may issue a license under sub. (1) to a child care center that provides care and supervision for 4 to ~~8~~ 12 children, the child care center must pay to the department a biennial fee of \$60.50. Except as provided in par. (c), before the department may issue a license under sub. (1) to a child care center that provides care and supervision for ~~9~~ 13 or more children, the child care center must pay to the department a biennial fee of \$30.25, plus a biennial fee of \$16.94 per child, based on the number of children that the child care center is licensed to serve. A child care center that wishes to continue a license issued under sub. (1) shall pay the applicable fee under this paragraph by the continuation date of the license. A new child care center shall pay the applicable fee under this paragraph no later than 30 days before the opening of the child care center.

SECTION 2. 48.67 of the statutes is renumbered 48.67 (1m), and 48.67 (1m) (a) and (d) 1. (intro.), 2. and 3., as renumbered, are amended to read:

48.67 (1m) (a) That all child care center licensees, and all employees and volunteers of a child care center, who provide care and supervision for children under one year of age receive, before the date on which the license is issued or the employment or volunteer work commences, whichever is applicable, training in the most current medically accepted methods of preventing sudden infant death syndrome. The rules shall provide that any training in those methods that a licensee has obtained in connection with military service, as defined in s. 111.32

SENATE BILL 364**SECTION 2**

(12g), counts toward satisfying the training requirement under this ~~subsection~~ paragraph if the licensee demonstrates to the satisfaction of the department that the training obtained in that connection is substantially equivalent to the training required under this ~~subsection~~ paragraph.

(d) 1. (intro.) That all foster parents successfully complete training in the care and support needs of children who are placed in foster care that has been approved by the department. The training shall be completed on an ongoing basis, as determined by the department. The department shall promulgate rules prescribing the training that is required under this ~~subsection~~ paragraph and shall monitor compliance with this ~~subsection~~ paragraph according to those rules. The training shall include training in all of the following:

2. The training under ~~par. (a)~~ subd. 1. shall be available to a kinship care provider, as defined in s. 48.40 (1m), upon request of the kinship care provider.

3. For a foster parent receiving an initial license, the training under ~~par. (a)~~ subd. 1. shall be completed before the first child is placed with the foster parent.

SECTION 3. 48.67 (2m) of the statutes is created to read:

48.67 (2m) In the rules promulgated under sub. (1m), the department shall authorize child care centers licensed under s. 48.65 (1) that have sufficient staff and space to provide care and supervision for 4 to 12 children or for 13 or more children.

SECTION 4. 66.1017 (1) (a) of the statutes is amended to read:

66.1017 (1) (a) “Family child care home” means a dwelling licensed as a child care center by the department of children and families under s. 48.65 where care is provided for not more than ~~8~~ 12 children.

SECTION 5. 101.01 (11) (e) of the statutes is created to read:

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SECTION 5

101.01 (11) (e) A dwelling licensed as a child care center by the department of children and families under s. 48.65 where care is provided for not more than 12 children.

SECTION 6. Nonstatutory provisions.

(1) As soon as practicable following the effective date of this subsection, the department of children and families shall amend the definition of “family child care center” under s. DCF 250.03 (9), Wis. Adm. Code, to mean a facility where a person provides care and supervision for less than 24 hours a day for at least 4 and not more than 12 children who are not related to the provider; and it shall amend any other rules it has promulgated pertaining to family child care centers, as defined under s. DCF 250.03 (9), Wis. Adm. Code, to harmonize them with the definition as so amended. As soon as practicable following the effective date of this subsection, the department of children and families shall amend the definition of “group child care center” under s. DCF 251.03 (13), Wis. Adm. Code, to mean a facility where a person for less than 24 hours a day provides care and supervision for 13 or more children who are not related to the provider; and it shall amend any other rules it has promulgated pertaining to group child care centers, as defined under s. DCF 251.03 (13), Wis. Adm. Code, to harmonize them with the definition as so amended.

SECTION 7. Initial applicability.

(1) This act first applies to an application for a child care center license or for a continuation of a child care center license submitted on the effective date of this subsection.

(END)