

Child Care Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tracy J. Miller

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill modifies provisions relating to child care.

Highlighted Provisions:

This bill:

- provides that the time employed as a preschool teacher in a child care program is equivalent to the time employed in a public school or accredited private school for purposes of relicensing;

- authorizes the use of housing and transit reinvestment zone funds to include construction or expansion of child care facilities within the zone; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-6-201, as last amended by Laws of Utah 2024, Chapter 51

63N-3-607, as last amended by Laws of Utah 2024, Chapter 521

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53E-6-201** is amended to read:

53E-6-201 . State board licensure.

(1) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish a system for educator licensing that includes:

- 29 (a) an associate educator license that permits an individual to provide educational
30 services in a public school while working to meet the requirements of a professional
31 educator license;
- 32 (b) a professional educator license that permits an individual to provide educational
33 services in a public school after demonstrating that the individual meets licensure
34 requirements established in state board rule;
- 35 (c) an LEA-specific educator license issued by the state board at the request of an LEA's
36 governing body that is valid for an individual to provide educational services in the
37 requesting LEA's schools;
- 38 (d) beginning in the 2023-2024 school year, a provider-specific license issued by the
39 state board at the request of an authorized online course provider described in [
40 Subsection] Section 53F-4-504 that:
- 41 (i) is valid for an individual to provide educational services to a student enrolled in an
42 online course described in Section 53F-4-503; and
- 43 (ii) contains eligibility criteria that is no more stringent than the requirements for a
44 license described in Subsection (1)(c); and
- 45 (e) beginning in the 2029-2030 school year, the creation or modification of licenses if
46 any are created or modified under Section 53G-6-206.
- 47 (2) An individual employed in a position that requires licensure by the state board shall
48 hold the license that is appropriate to the position.
- 49 (3)(a)(i) Except as provided in Subsection (3)(a)(ii), the state board may make rules
50 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
51 rank, endorse, or otherwise classify licenses and establish the criteria for
52 obtaining, retaining, and reinstating licenses.
- 53 (ii) The state board may not make licensure contingent upon passage of a pedagogical
54 performance assessment.
- 55 (iii) The state board shall consider employment duration as a preschool teacher in a
56 child care program, as that term is defined in Section 26B-2-401, as equivalent to
57 employment duration in a district school, charter school, or accredited private
58 school for purposes of relicensing.
- 59 (b) An educator who is enrolling in a course of study at an institution within the state
60 system of higher education to satisfy the state board requirements for retaining a
61 license is exempt from tuition, except for a semester registration fee established by
62 the Utah Board of Higher Education, if:

- (i) the educator is enrolled on the basis of surplus space in the class after regularly enrolled students have been assigned and admitted to the class in accordance with regular procedures, normal teaching loads, and the institution's approved budget; and
- (ii) enrollments are determined by each institution under rules and guidelines established by the Utah Board of Higher Education in accordance with findings of fact that space is available for the educator's enrollment.

Section 2. Section **63N-3-607** is amended to read:

63N-3-607 . Payment, use, and administration of revenue from a housing and transit reinvestment zone.

- (1) A municipality or public transit county may receive and use tax increment and housing and transit reinvestment zone funds in accordance with this part.
- (2)(a) A county that collects property tax on property located within a housing and transit reinvestment zone shall, in accordance with Section 59-2-1365, distribute to the municipality or public transit county any tax increment the municipality or public transit county is authorized to receive up to the maximum approved by the housing and transit reinvestment zone committee.
- (b) Tax increment distributed to a municipality or public transit county in accordance with Subsection (2)(a) is not revenue of the taxing entity or municipality or public transit county.
- (c)(i) Tax increment paid to the municipality or public transit county are housing and transit reinvestment zone funds and shall be administered by an agency created by the municipality or public transit county within which the housing and transit reinvestment zone is located.
- (ii) Before an agency may receive housing and transit reinvestment zone funds from the municipality or public transit county, the municipality or public transit county and the agency shall enter into an interlocal agreement with terms that:
- (A) are consistent with the approval of the housing and transit reinvestment zone committee; and
- (B) meet the requirements of Section 63N-3-603.
- (3)(a) A municipality or public transit county and agency shall use housing and transit reinvestment zone funds within, or for the direct benefit of, the housing and transit reinvestment zone.
- (b) If any housing and transit reinvestment zone funds will be used outside of the

housing and transit reinvestment zone, there must be a finding in the approved proposal for a housing and transit reinvestment zone that the use of the housing and transit reinvestment zone funds outside of the housing and transit reinvestment zone will directly benefit the housing and transit reinvestment zone.

(4)(a) A municipality or public transit county shall use housing and transit reinvestment zone funds to achieve the purposes described in Subsections 63N-3-603(1) and (2), by paying all or part of the costs of any of the following:

~~[(a)]~~ (i) income targeted housing costs;

~~[(b)]~~ (ii) structured parking within the housing and transit reinvestment zone;

~~[(c)]~~ (iii) enhanced development costs;

~~[(d)]~~ (iv) horizontal construction costs;

~~[(e)]~~ (v) vertical construction costs;

~~[(f)]~~ (vi) property acquisition costs within the housing and transit reinvestment zone; ~~or~~

~~[(g)]~~ (vii) the costs of the municipality or public transit county to create and administer the housing and transit reinvestment zone, which may not exceed 2% of the total housing and transit reinvestment zone funds, plus the costs to complete the gap analysis described in Subsection 63N-3-604(2)[-]; or

(viii) subject to Subsection (4)(b), costs for the construction or expansion of child care facilities within the boundary of the housing and transit reinvestment zone.

(b) A municipality or public transit county may not use more than 1% of the total housing and transit reinvestment zone funds to pay costs described in Subsection (4)(a)(viii).

(5) Housing and transit reinvestment zone funds may be paid to a participant, if the agency and participant enter into a participation agreement ~~[which]~~ that requires the participant to utilize the housing and transit reinvestment zone funds as allowed in this section.

(6) Housing and transit reinvestment zone funds may be used to pay all of the costs of bonds issued by the municipality or public transit county in accordance with Title 17C, Chapter 1, Part 5, Agency Bonds, including the cost to issue and repay the bonds including interest.

(7) A municipality or public transit county may create one or more public infrastructure districts within the housing and transit reinvestment zone under Title 17D, Chapter 4, Public Infrastructure District Act, and pledge and utilize the housing and transit reinvestment zone funds to guarantee the payment of public infrastructure bonds issued

131 by a public infrastructure district.

132 Section 3. **Effective Date.**

133 This bill takes effect on May 7, 2025.