

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2949 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Mark Tedford

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED SUBCOMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 2949

By: Tedford

PROPOSED SUBCOMMITTEE SUBSTITUTE

An Act relating to child care facilities; defining terms; providing method for calculating child's age; directing that licensed child care facilities maintain certain staff-to-child ratios; permitting providers to utilize mixed-age groupings; providing minimum square footage required per child; directing the Department of Human Services to promulgate rules; providing that rules be subject to review and approval by certain subcommittee; amending 10 O.S. 2021, Section 405.4, which relates to the Oklahoma Child Care Facilities Licensing Act; removing floor area requirement for certain rooms; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 405.6 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. "Mixed-age group" means a group of children containing two or more age categories;

1        2. "Standard ratio" means a staff-to-child ratio applicable to  
2 a group composed entirely of children within the same age category;

3        3. "Usable indoor space" means space available for children's  
4 activities and movement, excluding bathrooms, kitchens, storage  
5 areas, mechanical rooms, offices, and closets; and

6        4. "Youngest age category present" means the youngest age  
7 category represented within a group at any time.

8        B. For purposes of staff-to-child ratios and group placement, a  
9 child's age may be calculated within thirty (30) calendar days  
10 before or after the child's birthday.

11        C. When a group consists solely of children within a single-age  
12 category, licensed child care providers shall maintain the following  
13 minimum staff-to-child ratios:

14        1. For infants from birth through eleven (11) months of age,  
15 there shall be one staff member for every five children;

16        2. For children twelve (12) months of age through twenty-three  
17 (23) months of age, there shall be one staff member for every eight  
18 children;

19        3. For children twenty-four (24) months of age through thirty-  
20 five (35) months of age, there shall be one staff member for every  
21 eleven children;

22        4. For children thirty-six (36) months of age through forty-  
23 seven (47) months of age, there shall be one staff member for every  
24 fifteen children;

1        5. For children forty-eight (48) months of age through fifty-  
2 nine (59) months of age, there shall be one staff member for every  
3 eighteen children;

4        6. For children sixty (60) months of age through seventy-one  
5 (71) months of age, there shall be one staff member for every  
6 twenty-five children; and

7        7. For children six (6) years of age and older, there shall be  
8 one staff member for every twenty-eight children.

9        D. Licensed child care providers may utilize mixed-age  
10 groupings as an alternative to standard ratios. When a mixed-age  
11 group is used, licensed child care providers shall maintain the  
12 following minimum staff-to-child ratios:

13        1. For infants, there shall be one staff member for every eight  
14 children;

15        2. For children one (1) year of age, there shall be one staff  
16 member for every twelve children;

17        3. For children two (2) years of age, there shall be one staff  
18 member for every sixteen children;

19        4. For children three (3) years of age, there shall be one  
20 staff member for every twenty children;

21        5. For children four (4) years of age, there shall be one staff  
22 member for every twenty-four children;

23        6. For children five (5) years of age, there shall be one staff  
24 member for every thirty children; and

1        7. For children six (6) years of age and older, there shall be  
2 one staff member for every thirty-five children.

3        In any mixed-age group, no more than fifty percent (50%) of the  
4 total group size may consist of children in the youngest age  
5 category present. The applicable ratio shall be determined by the  
6 youngest age category present.

7        E. Licensed child care providers shall provide not less than  
8 thirty (30) square feet of usable indoor space per child, based on  
9 the maximum number of children present at any one time.

10       F. The Department of Human Services shall promulgate rules as  
11 necessary to implement the provisions of this section. Any rule  
12 promulgated pursuant to this section shall be subject to review and  
13 approval by the Oklahoma Child Care Advisory Committee Programs  
14 Subcommittee.

15       SECTION 2.        AMENDATORY        10 O.S. 2021, Section 405.4, is  
16 amended to read as follows:

17       Section 405.4. A. Any person with a bachelor's degree or  
18 postgraduate degree shall be considered as having met the  
19 educational requirements for a director of a full-time child care  
20 center required by the Department of Human Services. Nothing in  
21 this section shall be construed as to affect annual continuing  
22 education requirements. The director of a child care center may  
23 also qualify as a master teacher for children of all ages.

1 B. Any person replacing a master teacher at a child care center  
2 shall be granted a one-year probationary period to fulfill the  
3 educational qualifications required by the Department for a master  
4 teacher. The Department may extend the probationary period an  
5 additional year as long as the person is actively pursuing that  
6 goal.

7 ~~C. Licensed child care facilities opened or expanded before~~  
8 ~~November 1, 2016, shall have thirty-five (35) square feet of floor~~  
9 ~~area per infant in rooms occupied only by infants. New construction~~  
10 ~~and existing space not previously licensed for child care after~~  
11 ~~November 1, 2016, shall have forty (40) square feet of floor area~~  
12 ~~per infant in rooms occupied only by infants.~~

13 SECTION 3. This act shall become effective July 1, 2026.

14 SECTION 4. It being immediately necessary for the preservation  
15 of the public peace, health or safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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19 60-2-16162 CMA 02/06/26  
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