

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4298

By: Pae

AS INTRODUCED

An Act relating to children; amending 10 O.S. 2021, Section 404, which relates to the Oklahoma Child Care Facilities Licensing Act; permitting electronic notice; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2021, Section 404, is amended to read as follows:

Section 404. A. 1. The Department of Human Services, in consultation with the Oklahoma Commission on Children and Youth, shall appoint advisory committees of representatives of child care facilities and others to recommend minimum requirements and desirable standards for promulgation by the Department.

2. Committee members shall be appointed for a three-year term, with a two-consecutive-term limit. The committees shall include representation for all categories of facilities licensed by the Department and shall be comprised as follows:

1           a.    the Residential Children's Services subcommittee shall  
2               include at a minimum:

3               (1)   a representative of a statewide organization  
4                   representing children in care arrangements  
5                   outside their own home,

6               (2)   a representative of a statewide organization  
7                   providing residential services to youth in state  
8                   custody,

9               (3)   a recipient or former recipient of youth services  
10               for children in state custody,

11              (4)   a representative of a statewide organization  
12                   promoting adoption services,

13              (5)   a parent or guardian providing foster care to a  
14                   child or children in state custody,

15              (6)   a representative from a nonpublic, long-term  
16                   residential care facility for children in state  
17                   custody,

18              (7)   a representative from an organization promoting  
19                   the interests of Native American children in  
20                   state custody,

21              (8)   a provider of medical services for children,

22              (9)   a practicing behavioral health services provider,

23              (10)  a representative from an agency providing child-  
24                   placing services, and

1 (11) other appropriate representatives at the  
2 discretion of the Department of Human Services  
3 and Commission on Children and Youth,

4 b. the Child Care Centers subcommittee shall include at a  
5 minimum:

6 (1) a representative of a statewide organization  
7 advocating for children in care arrangements  
8 outside their own home,

9 (2) a representative of a statewide organization  
10 conducting programs for school-age children,

11 (3) a parent or guardian with a child attending a  
12 licensed child care facility,

13 (4) a representative of a licensed child care  
14 facility in a rural area,

15 (5) a representative of a statewide organization  
16 advocating for licensed child care facilities  
17 owned or operated by Native Americans,

18 (6) a representative of a licensed child care  
19 facility in an urban/suburban area,

20 (7) a representative of a statewide organization  
21 advocating for programs provided under the Head  
22 Start program,  
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1 (8) a representative with knowledge of child care  
2 programs offered by career technology center in  
3 this state,

4 (9) a representative of a statewide organization  
5 advocating for early childhood education  
6 programs,

7 (10) a representative of a statewide organization  
8 providing resources and referrals to child care  
9 facilities,

10 (11) a provider of medical services for children, and

11 (12) other appropriate representatives at the  
12 discretion of the Department of Human Services  
13 and Commission on Children and Youth,

14 c. the Child Care Homes subcommittee shall include at a  
15 minimum:

16 (1) a representative of a statewide organization  
17 advocating for children in care arrangements  
18 outside their own home,

19 (2) a parent or guardian with a child receiving care  
20 at a licensed child care home,

21 (3) a representative of a licensed child care home in  
22 a rural area,  
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- (4) a representative of a statewide organization advocating for licensed child care facilities owned or operated by Native Americans,
- (5) a representative of a licensed child care home in an urban/suburban area,
- (6) a representative of a statewide organization advocating for early childhood education programs,
- (7) a representative of a statewide organization providing resources and referrals to child care facilities,
- (8) a provider of medical services for children, and
- (9) other appropriate representatives at the discretion of the Department of Human Services and Commission on Children and Youth, and

d. the Quality Rating and Improvement System subcommittee shall include representatives of child care centers and child care homes currently licensed by the State and other members as determined by the Department of Human Services and the Commission on Children and Youth.

3. The Department shall create a Child Care Facility Peer Review Board whose purpose shall be to participate in the Department's grievance process. A majority of the Board shall be

1 representatives of child care facilities. The Department shall  
2 promulgate rules specifying the duties of the Child Care Facility  
3 Peer Review Board in the grievance process.

4 4. The advisory committee shall designate two people to serve  
5 on the Department's Stars Administrative Review Panel. At least one  
6 designee shall be the owner or operator of a licensed child care  
7 center.

8 B. Child care facilities shall not allow children to be left  
9 alone in the care of any person under eighteen (18) years of age  
10 without supervision or sixteen (16) years of age with supervision as  
11 delineated by the Department's rules. Child care centers and family  
12 child care homes shall not:

13 1. Use soft or loose bedding, including, but not limited to,  
14 blankets, in sleeping equipment or in sleeping areas used only for  
15 infants;

16 2. Allow toys or educational devices in sleeping equipment or  
17 in a sleeping area used only for infants; or

18 3. Place a child in sleeping equipment or in a sleeping area  
19 which has not been previously approved for use as such by the  
20 Department.

21 C. The Department shall promulgate rules establishing minimum  
22 requirements and desirable standards as may be deemed necessary or  
23 advisable to carry out the provisions of the Oklahoma Child Care  
24 Facilities Licensing Act.

1 D. Such rules shall not be promulgated until after consultation  
2 with the State Department of Health, the State Department of  
3 Education, the Oklahoma State Bureau of Investigation, the State  
4 Fire Marshal, the Commission on Children and Youth, the Oklahoma  
5 Department of Mental Health and Substance Abuse Services and any  
6 other agency deemed necessary by the Department. Not less than  
7 sixty (60) days' notice, electronically, or as requested by regular  
8 mail, shall be given to all current licensees before any changes are  
9 made in such rules.

10 E. In order to improve the standards of child care, the  
11 Department shall advise and cooperate with licensees, the governing  
12 bodies and staff of licensed child care facilities and assist the  
13 staff through advice of progressive methods and procedures, and  
14 suggestions for the improvement of services.

15 F. The Department may participate in federal programs for child  
16 care services, and enter into agreements or plans on behalf of the  
17 state for that purpose, in accordance with federal laws and  
18 regulations.

19 SECTION 2. This act shall become effective November 1, 2026.  
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