

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1997

By: Representative Torres

By: Senator Dees

For An Act To Be Entitled

AN ACT TO CREATE A ZONING EXEMPTION FOR CHILDCARE
FAMILY HOMES; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

Subtitle

TO CREATE A ZONING EXEMPTION FOR
CHILDCARE FAMILY HOMES; AND TO DECLARE
AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) The childcare needs in Arkansas necessitate the enhancement of accessible childcare options for families, particularly in rural and small-town areas;

(2) Exempting licensed childcare homes from restrictive zoning regulations would facilitate the growth of small businesses, contributing to local economies and community vitality; and

(3) Successful outcomes in communities such as Gentry and Gravette demonstrate that support for childcare initiatives can lead to an increase in available slots for children without negatively impacting local resources.

SECTION 2. Arkansas Code § 20-78-229(b), concerning compliance with local regulations under the Childcare Facility Licensing Act, is amended to read as follows:



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(b)(1) The Except as provided in subsection (f) of this section, the Division of Child Care and Early Childhood Education shall require any childcare facility seeking licensure under this subchapter to comply with applicable zoning and land use development regulations of the municipality and county where the childcare facility is located.

(2) Failure to comply with applicable zoning and land use regulations is grounds for the denial of a license of a childcare facility.

SECTION 3. Arkansas Code § 20-78-229 is amended to add an additional subsection to read as follows:

(f)(1) As used in this subsection, "licensure" means the process through which the Division of Child Care and Early Childhood Education grants permission to operate a childcare family home under this subchapter.

(2)(A) Except as provided in subdivision (f)(3) of this section, a childcare family home that is licensed or seeking licensure under this subchapter is exempt from local zoning ordinances that restrict the operation of a childcare family home.

(B) An exemption from local zoning ordinances under subdivision (f)(2) of this section applies to all residential properties within corporate limits of a municipality.

(3) A municipality shall enforce existing health and safety regulations applicable to all childcare facilities to ensure community standards are upheld.

(4) The Division of Child Care and Early Childhood Education shall provide guidance and resources to aspiring childcare providers to ensure adherence to essential health, safety, and educational standards and this subsection.

SECTION 4. DO NOT CODIFY. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is a need for accessible childcare options throughout the state; that rural communities cannot increase childcare options due to restrictive zoning regulations of the local government; and that this act is immediately necessary because increasing access to affordable childcare is needed to preserve public health, peace, and safety. Therefore, an emergency is declared to exist, and this act being immediately necessary for the

preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.