

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1997

5 By: Representative Torres
6 By: Senator Dees
7

For An Act To Be Entitled

9 AN ACT TO CREATE A ZONING EXEMPTION FOR CHILDCARE
10 FAMILY HOMES; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO CREATE A ZONING EXEMPTION FOR
16 CHILDCARE FAMILY HOMES; AND TO DECLARE
17 AN EMERGENCY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Legislative findings.

22 The General Assembly finds that:

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

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

29 (3) Successful outcomes in communities such as Gentry and
30 Gravette demonstrate that support for childcare initiatives can lead to an
31 increase in available slots for children without negatively impacting local
32 resources.
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34 SECTION 2. Arkansas Code § 20-78-229(b), concerning compliance with
35 local regulations under the Childcare Facility Licensing Act, is amended to
36 read as follows:



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

6 (2) Failure to comply with applicable zoning and land use
7 regulations is grounds for the denial of a license of a childcare facility.
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9 SECTION 3. Arkansas Code § 20-78-229 is amended to add an additional
10 subsection to read as follows:

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

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

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

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

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

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

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

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

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

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

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