

INTERIM STUDY PROPOSAL 2025-054

State of Arkansas  
95th General Assembly  
Regular Session, 2025

## A Bill

HOUSE BILL 1997

By: Representative Torres  
By: Senator Dees

Filed with: House Committee on Aging, Children and Youth, and Legislative Affairs  
pursuant to A.C.A. §10-3-217.

### 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.

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

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

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

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

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

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

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

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

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

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

1 declared to exist, and this act being immediately necessary for the  
2 preservation of the public peace, health, and safety shall become effective  
3 on:

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

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

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

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12 Referred requested by the Arkansas House of Representatives

13 Prepared by: SSS/AMS  
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