

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 808

Introduced by Ibach, 44; Brandt, 32.

Read first time January 07, 2026

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend
2 section 71-1908, Revised Statutes Supplement, 2025; to change
3 provisions relating to legislative intent; to provide for a child
4 care licensing pilot program as prescribed; to provide powers and
5 duties for the Director of Public Health of the Division of Public
6 Health of the Department of Health and Human Services; to provide
7 for a waiver of certain child care licensing requirements; and to
8 repeal the original section.

9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 71-1908, Revised Statutes Supplement, 2025, is
2 amended to read:

3 71-1908 (1) Sections 71-1908 to 71-1923.03 and sections 2 and 3 of
4 this act shall be known and may be cited as the Child Care Licensing Act.

5 (2) The Legislature finds that there is a present and growing need
6 for quality child care programs and facilities. There is a need to
7 establish and maintain licensure of persons providing such programs to
8 ensure that such persons are competent and are using safe and adequate
9 facilities. The Legislature further finds and declares that the
10 development and supervision of programs are a matter of statewide concern
11 and should be dealt with uniformly on the state and local levels. There
12 is a need for cooperation among the various state and local agencies
13 which impose standards on licensees, and there should be one agency which
14 coordinates the enforcement of such standards and informs the Legislature
15 about cooperation among the various agencies.

16 **Sec. 2.** (1) The Director of Public Health of the Division of Public
17 Health of the Department of Health and Human Services may enter into a
18 contract with any number of licensees to develop and operate a pilot
19 program designed to increase the availability or capacity of day care
20 facilities in the state.

21 (2) The director may grant licensure to a person to maintain a
22 facility in a pilot program under this section that waives the
23 requirements of the rules and regulations related to licensure and
24 operation of a day care facility or youth development program, including
25 requirements for staff at such day care facility or youth development
26 program. A facility granted a license pursuant to this section shall
27 comply with alternative terms, conditions, and requirements established
28 by the director as may be necessary to protect the health, safety, and
29 welfare of the children who attend such facility.

30 (3) The director shall not grant a license under this section if the
31 director determines that a day care facility or youth development program

1 or a staff member of such facility or program would endanger the health,
2 safety, and welfare of a child.

3 (4) The director may grant licensure to a person to maintain a
4 facility under this section for no more than five years.

5 (5) If the director determines that a pilot program established
6 under this section is successful and increases the availability or
7 capacity of child care facilities in the state, the director shall make
8 suggestions and recommendations to the Legislature for statutory changes.

9 **Sec. 3.** A person granted licensure to maintain a facility may
10 request a waiver from the requirements of the Child Care Licensing Act
11 for a specific period of time from the Director of Public Health. A
12 waiver request shall be in a form and manner approved by the director and
13 contain the provisions of the rules and regulations sought to be waived.
14 Waiver requests shall be granted on a case-by-case basis.

15 **Sec. 4.** Original section 71-1908, Revised Statutes Supplement,
16 2025, is repealed.