

REFERENCE TITLE: family child care providers; exemption

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 4024

Introduced by
Representatives Márquez: Keshel, Marshall

AN ACT

AMENDING SECTION 36-884, ARIZONA REVISED STATUTES; RELATING TO CHILD CARE PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-884, Arizona Revised Statutes, is amended to
3 read:

4 36-884. Exemptions

5 This article does not apply to the care given to children by or in:

6 1. The homes of parents or blood relatives.

7 2. A religious institution conducting a nursery in conjunction with
8 its religious services or conducting parent-supervised occasional drop-in
9 care.

10 3. A unit of the public school system, including specialized
11 professional services provided by school districts for the sole purpose of
12 meeting mandated requirements to address the physical and mental
13 impairments prescribed in section 15-771. If a public school provides
14 child care other than during the school's regular hours or for children
15 who are not regularly enrolled in kindergarten programs or grades one
16 through twelve, that portion of the school that provides child care is
17 subject to standards of care prescribed pursuant to section 36-883.04.

18 4. A regularly organized private school engaged in an educational
19 program that may be attended in substitution for public school pursuant to
20 section 15-802. If the school provides child care beyond regular public
21 school hours or for children who are not regularly enrolled in
22 kindergarten programs or grades one through twelve, that portion of the
23 school providing such care shall be considered a child care facility and
24 is subject to this article.

25 5. Any facility that provides training only in specific subjects,
26 including dancing, drama, music, self-defense or religion and tutoring
27 provided by public schools solely to improve school performance.

28 6. Any facility that provides only recreational or instructional
29 activities to ~~school-age~~ SCHOOL-AGE children who may enter into and depart
30 from the facility at their own volition. The facility may require the
31 children to document their entrance into and departure from the facility.
32 This documentation does not affect the exemption under this
33 paragraph. The facility shall post a notice stating it is not a licensed
34 child care facility under section 36-882.

35 7. Any of the Arizona state schools for the deaf and the blind.

36 8. A facility that provides only educational instruction for
37 children who are at least three and not older than six years of age if all
38 the following are true:

39 (a) The facility instructs only in the core subjects of math,
40 reading and science.

41 (b) The facility does not accept state-subsidized tuition for the
42 children.

43 (c) A child is present at the facility for not more than two and
44 one-quarter hours a day and not more than three days a week.

1 (d) The instruction is not provided in place of care ordinarily
2 provided by a parent or guardian.

3 (e) The facility posts a notice that the facility is not licensed
4 under this article.

5 (f) The facility requires fingerprint cards of all personnel
6 pursuant to section 36-883.02.

7 9. A facility that operates a day camp that provides recreational
8 programs to children if all of the following are true:

9 (a) The day camp is accredited by a nationally recognized
10 accrediting organization for day camps as approved by the department.

11 (b) The day camp operates for less than twenty-four hours a day and
12 less than ten weeks each calendar year.

13 (c) The day camp posts a notice at the facility and on its website
14 that it is not licensed under the laws of this state as a child care
15 facility.

16 (d) The day camp provides programs only to children who are at
17 least five years of age.

18 (e) The day camp requires fingerprint cards of all personnel
19 pursuant to section 36-883.02.

20 10. A PROGRAM OR FACILITY CERTIFIED AS A FAMILY CHILD CARE PROVIDER
21 BY A BRANCH OF THE UNITED STATES DEPARTMENT OF DEFENSE OR BY THE UNITED
22 STATES COAST GUARD. THIS PARAGRAPH DOES NOT APPLY TO FAMILY CHILD CARE
23 PROVIDERS WHO ALSO PROVIDE CHILD CARE SERVICES TO CHILDREN WHO ARE NOT
24 AFFILIATED WITH A BRANCH OF THE UNITED STATES DEPARTMENT OF DEFENSE OR THE
25 UNITED STATES COAST GUARD.