

HB78 ENGROSSED



1 HB78
2 RBQ8DNM-2
3 By Representatives Ross, DuBose, Lamb, Mooney, Rehm, Kirkland,
4 Shaver, Fidler, Givens, Reynolds, Faulkner, Kiel, Sells,
5 Stadthagen, Baker, Collins, Hulsey, Holk-Jones, Colvin
6 RFD: Education Policy
7 First Read: 13-Jan-26
8 PFD: 02-Dec-25



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A BILL

TO BE ENTITLED

AN ACT

Relating to early childhood education; to add Article 4, commencing with Section 26-24-60, to Chapter 24, Title 26, and Sections 16-40-15 and 38-7-7.1 to the Code of Alabama 1975; to require the Department of Early Childhood Education, in collaboration with the State Department of Human Resources (DHR) and the State Department of Education, to develop standards and relevant annual training requirements for appropriate screen time use in early childhood education settings; to require each state agency to implement the guidelines and training requirements for the early childhood education programs under their jurisdiction; to condition licensing of certain child-care facilities on compliance with screen time guidelines; and to authorize the Department of Early Childhood Education, DHR, and the State Board of Education to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the Healthy Early Development and Screen Time Act.

(b) The Legislature finds and declares all of the following:



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(1) Birth through five years of age is a child's most critical period of rapid brain development, language acquisition, and social-emotional growth.

(2) Published peer-reviewed research demonstrates that excessive screen exposure in children under three years of age is associated with delayed communication skills, impaired problem-solving, and reduced social interaction.

(3) National and international pediatric authorities including, but not limited to, the American Academy of Pediatrics, recommend little to no screen time for children under two years of age and no more than one hour per day of high-quality, adult-supervised screen use for children who are two through five years of age.

(4) High-quality educational media used interactively with adult participation may provide some benefit, but should not displace physical activity, caregiver interaction, or sleep time.

(5) It is the intent of this state to provide parents, caregivers, and educators with research-based guidelines and standards regarding screen time to safeguard children's healthy development.

Section 2. A new Article 4, commencing with Section 26-24-60, is added to Chapter 24 of Title 26, Code of Alabama 1975, to read as follows:

Article 4

§26-24-60

For the purposes of this article, the following terms have the following meanings:



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(1) ADULT-SUPERVISED USE. Media engagement in which a parent, guardian, or caregiver is actively present and guiding and discussing the media content.

(2) DEPARTMENT. The Department of Early Childhood Education.

(3) EARLY CHILDHOOD EDUCATION PROGRAM. a. All of the following:

1. A licensed child-care facility that serves children five years of age and younger.

2. Prekindergarten programs operating under Article 2.

3. Public kindergarten programs.

b. In addition to regular school day programs, the term includes any after-school, extended day, or summer program provided by a facility or program described in paragraph a.

(4) HIGH-QUALITY PROGRAMMING. Screen-based media programs and platforms used in early childhood education programs.

(5) LICENSED CHILD-CARE FACILITY. All of the following:

a. A day care center as defined in Section 38-7-2.

b. A day care home as defined in Section 38-7-2.

c. A group day care home as defined in Section 38-7-2.

d. A night care facility as defined in Section 38-7-2.

(6) SCREEN-BASED MEDIA. Visual media devices including, but not limited to, televisions, computers, smart phones, and tablets.

(7) SCREEN TIME. Time spent using screen-based media. The term does not include live, interactive video communication, such as a video call with a child's family.



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§26-24-61

(a) The department, in collaboration with the State Department of Human Resources and the State Department of Education, shall develop research-based guidelines on healthy screen time practices for children from birth through five years of age. The guidelines shall be based on current evidence-based research and practices.

(b) The guidelines shall emphasize all of the following:

(1) The importance of play, reading, physical activity, and caregiver-child interaction.

(2) The risks of excessive screen time on children, including developmental delays and behavioral impacts.

(3) Strategies for setting screen-time-free routines in the home.

(c) The department shall publish the guidelines on the department website at no cost to the public.

§26-24-62

(a) Screen-based media in early childhood education programs:

(1) May not be unreasonably used as a substitute for teacher-led instruction, reading, hands-on learning, or outdoor play;

(2) Must meet the department's screen time standards as provided in Section 26-24-63; and

(3) Must be actively supervised by staff.

(b) Background television and passive screen time is prohibited in early childhood education programs.



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(c) This article shall not apply to any of the following:

(1) The screen time of any student acting pursuant to the student's Individualized Education Program, Section 504 plan, or Individualized Health Plan.

(2) Screen time by any kindergarten student necessary to complete required diagnostic tests and assessments.

(3) Screen time by any student enrolled in classes offered as part of a virtual school or virtual program approved by a local board of education.

(d) The department, the State Department of Human Resources, and the State Board of Education may adopt rules to implement and administer this article.

§26-24-63

The department, in collaboration with the State Department of Human Resources and the State Department of Education, shall develop screen time standards for early childhood education programs which are based on current evidence-based research and practices. The standards shall include the following:

(1) Age-appropriate screen time limits, provided that no screen time may be allowed for students under two years of age.

(2) Guidelines for determining what constitutes high-quality programming. In establishing the guidelines, all of the following factors must be considered:

a. The target audience of the program and whether the program is age-appropriate in an early childhood education



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141 setting.

142 b. The pacing of the program, with a preference toward
143 slow-paced programming.

144 c. Whether the programming is free of violence.

145 d. Whether the programming is free of advertisement
146 that the department determines is harmful to children.

147 (3) Best practices for screen time in early childhood
148 education programs.

149 §26-24-64

150 (a) The department, in collaboration with the State
151 Department of Human Resources and the State Department of
152 Education, shall develop training on screen time standards
153 provided in Section 26-24-63 and alternatives to screen time.
154 The training may be tailored to each type of early childhood
155 education program.

156 (b) Each early childhood education program teacher and
157 staff member who closely supervises children shall complete
158 the training annually.

159 §26-24-65

160 (a) Compliance with this article shall be monitored and
161 enforced by the following entities:

162 (1) For child-care facilities licensed by the State
163 Department of Human Resources, by the State Department of
164 Human Resources pursuant to Section 38-7-7.1.

165 (2) For prekindergarten programs operating under
166 Article 2, by the department pursuant to subsection (b).

167 (3) For public kindergarten, by the local school
168 principal pursuant to Section 16-40-15.



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(b) (1) In addition to the standards established pursuant to Article 2, each prekindergarten operating under Article 2 shall implement and abide by a screen time policy that meets the requirements of this article and reflects the screen time standards established pursuant to Section 26-24-63.

(2) The secretary of the department shall monitor prekindergarten compliance with this article as he or she deems necessary, provided that the secretary must:

a. Include a screen time policy in the Office of School Readiness Program Guidelines;

b. Require prekindergarten teachers to annually complete the training required by Section 26-24-64; and

c. In the event that a prekindergarten is not in compliance with this section, prioritize additional training with relevant staff members. If noncompliance continues, the department may establish or enforce a corrective action plan.

Section 3. Section 16-40-15 is added to the Code of Alabama 1975, to read as follows:

§16-40-15

No later than the 2027-2028 school year, each local board of education shall adopt a screen time policy that provides guidance on the appropriate use of screen-based media in kindergarten classrooms. The policy shall:

(1) Meet the requirements of Article 4, Chapter 24 of Title 26, with respect to kindergarten classrooms;

(2) Require kindergarten teachers to annually complete the screen time training created pursuant to Section 26-24-63;



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197 and

198 (3) If a kindergarten teacher is not in compliance with
199 this section, require the local school principal to first
200 provide additional training for the noncompliant teacher.
201 Continued noncompliance shall be considered a violation of the
202 Alabama Educator Code of Ethics, and the principal may proceed
203 with disciplinary action as adopted by the State Department of
204 Education, including corrective action, with approval from the
205 local superintendent of education.

206 Section 4. Section 38-7-7.1 is added to the Code of
207 Alabama 1975, to read as follows:

208 §38-7-7.1

209 (a) In addition to the standards for licensing
210 established pursuant to Section 38-7-7, each day care center,
211 day care home, group day care home, and night care facility
212 shall implement and abide by a screen time policy that meets
213 the requirements of Article 4, Chapter 24 of Title 26, as a
214 condition for licensing under this chapter.

215 (b) The department shall incorporate a screen time
216 policy that meets the requirements of Article 4, Chapter 24 of
217 Title 26, in the department's minimum standards for licensing
218 and approving day care centers, day care homes, group day care
219 homes, and night care facilities, as defined by this chapter,
220 and monitor compliance with this section as the department
221 deems necessary, provided that the department must:

222 (1) Review compliance during any inspection under
223 Section 38-7-11;

224 (2) Require staff who supervise children to undergo



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225 training established pursuant to Section 26-24-64; and
226 (3) If a child-care facility listed in subsection (b)
227 is not in compliance with this section, prioritize additional
228 training through the Department of Early Childhood Education
229 with the noncompliant staff members. If noncompliance
230 continues, the department may adopt or enforce a corrective
231 action plan.

232 Section 5. This act shall become effective on January
233 1, 2027.



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House of Representatives

237 Read for the first time and referred13-Jan-26
238 to the House of Representatives
239 committee on Education Policy
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241 Read for the second time and placed21-Jan-26
242 on the calendar:
243 0 amendments
244
245 Read for the third time and passed27-Jan-26
246 as amended
247 Yeas 101
248 Nays 1
249 Abstains 1
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251
252
253
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John Treadwell
Clerk