

**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

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



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

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

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

50                   Section 2. A new Article 4, commencing with Section  
51   26-24-60, is added to Chapter 24 of Title 26, Code of Alabama  
52   1975, to read as follows:

53 Article 4

54 §26-24-60

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



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

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

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

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

## 2. Prekindergarten programs operating under Article 2.

### 67 3. Public kindergarten programs.

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

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

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

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

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

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

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

79 (6) SCREEN-BASED MEDIA. Visual media devices including

80 but not limited to, televisions, computers, smart phones, and  
81 tablets.

62 (7) SCREEN TIME: time spent using screen-based media.

85 The term does not include live, interactive video

84 communication, such as a video call with a child's family.



85                   \$26-24-61

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

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

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

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

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

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

102                  \$26-24-62

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

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

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

110                  (3) Must be actively supervised by staff.

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



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

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

118 (2) Screen time by any kindergarten student necessary  
119 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.

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

126 §26-24-63

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

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

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

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



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.



169 (b) (1) In addition to the standards established  
170 pursuant to Article 2, each prekindergarten operating under  
171 Article 2 shall implement and abide by a screen time policy  
172 that meets the requirements of this article and reflects the  
173 screen time standards established pursuant to Section  
174 26-24-63.

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

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

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

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

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

188 §16-40-15

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

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

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



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



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 referred .....13-Jan-26  
238 to the House of Representatives  
239 committee on Education Policy  
240  
241 Read for the second time and placed .....21-Jan-26  
242 on the calendar:  
243 0 amendments  
244  
245 Read for the third time and passed .....27-Jan-26  
246 as amended  
247 Yeas 101  
248 Nays 1  
249 Abstains 1  
250  
251  
252 John Treadwell  
253 Clerk  
254