

**HB78 ENROLLED**



1 HB78  
2 RBQ8DNM-3  
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  
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1 Enrolled, An Act,

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4           Relating to early childhood education; to add Article  
5 4, commencing with Section 26-24-60, to Chapter 24, Title 26,  
6 and Sections 16-40-15 and 38-7-7.1 to the Code of Alabama  
7 1975; to require the Department of Early Childhood Education,  
8 in collaboration with the State Department of Human Resources  
9 (DHR) and the State Department of Education, to develop  
10 standards and relevant annual training requirements for  
11 appropriate screen time use in early childhood education  
12 settings; to require each state agency to implement the  
13 guidelines and training requirements for the early childhood  
14 education programs under their jurisdiction; to condition  
15 licensing of certain child-care facilities on compliance with  
16 screen time guidelines; and to authorize the Department of  
17 Early Childhood Education, DHR, and the State Board of  
18 Education to adopt rules.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

27           (2) Published peer-reviewed research demonstrates that  
28 excessive screen exposure in children under three years of age



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29 is associated with delayed communication skills, impaired  
30 problem-solving, and reduced social interaction.

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

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

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

45 Section 2. A new Article 4, commencing with Section  
46 26-24-60, is added to Chapter 24 of Title 26, Code of Alabama  
47 1975, to read as follows:

48 Article 4

49 §26-24-60

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

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

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



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

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

61 2. Prekindergarten programs operating under Article 2.

62 3. Public kindergarten programs.

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

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

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

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

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

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

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

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

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

80 §26-24-61

81 (a) The department, in collaboration with the State  
82 Department of Human Resources and the State Department of  
83 Education, shall develop research-based guidelines on healthy  
84 screen time practices for children from birth through five



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85 years of age. The guidelines shall be based on current  
86 evidence-based research and practices.

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

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

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

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

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

97 §26-24-62

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

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

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

105 (3) Must be actively supervised by staff.

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

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

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



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

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

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

121 §26-24-63

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

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

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

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

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

139 c. Whether the programming is free of violence.

140 d. Whether the programming is free of advertisement



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141 that the department determines is harmful to children.

142 (3) Best practices for screen time in early childhood  
143 education programs.

144 §26-24-64

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

151 (b) Each early childhood education program teacher and  
152 staff member who closely supervises children shall complete  
153 the training annually.

154 §26-24-65

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

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

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

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

164 (b) (1) In addition to the standards established  
165 pursuant to Article 2, each prekindergarten operating under  
166 Article 2 shall implement and abide by a screen time policy  
167 that meets the requirements of this article and reflects the  
168 screen time standards established pursuant to Section



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169 26-24-63.

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

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

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

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

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

183 §16-40-15

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

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

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

193 (3) If a kindergarten teacher is not in compliance with  
194 this section, require the local school principal to first  
195 provide additional training for the noncompliant teacher.  
196 Continued noncompliance shall be considered a violation of the



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197 Alabama Educator Code of Ethics, and the principal may proceed  
198 with disciplinary action as adopted by the State Department of  
199 Education, including corrective action, with approval from the  
200 local superintendent of education.

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

203 §38-7-7.1

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

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

217 (1) Review compliance during any inspection under  
218 Section 38-7-11;

219 (2) Require staff who supervise children to undergo  
220 training established pursuant to Section 26-24-64; and

221 (3) If a child-care facility listed in subsection (b)  
222 is not in compliance with this section, prioritize additional  
223 training through the Department of Early Childhood Education  
224 with the noncompliant staff members. If noncompliance

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225 continues, the department may adopt or enforce a corrective  
226 action plan.

227 Section 5. This act shall become effective on January  
228 1, 2027.

