

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0047.01 Richard Sweetman

SENATE BILL 07-011

SENATE SPONSORSHIP

Williams,

HOUSE SPONSORSHIP

Todd,

Senate Committees

Education

Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A COMMISSION TO STUDY ISSUES IMPACTING EARLY**
102 **CHILDHOOD PROGRAMS, AND, IN CONNECTION THEREWITH,**
103 **REPLACING THE EARLY CHILDHOOD AND SCHOOL READINESS**
104 **COMMISSION WITH THE EARLY CHILDHOOD COMMISSION, AND**
105 **MAKING AN APPROPRIATION THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Early Childhood and School Readiness Commission. Abolishes the early childhood and school readiness commission, and creates the early childhood commission ("commission"). Directs the commission to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

prepare recommendations for the general assembly regarding the creation of a governing authority for all early childhood programs offered in the state. Directs the commission to oversee a statewide, comprehensive fiscal analysis of the cost of high-quality early childhood programs and services in all counties of the state. Allows general fund moneys to be appropriated to implement the statutory duties of the commission. Establishes a repeal date for the commission. Appropriates moneys from the general fund to the early childhood cash fund.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Part 3 of article 6 of title 26, Colorado Revised
3 Statutes, is amended to read:

4 **PART 3**

5 **EARLY CHILDHOOD COMMISSION**

6 **26-6-301. Short title.** This part 3 shall be known and may be
7 cited as the "Early Childhood ~~and School Readiness~~ Commission Act".

8 **26-6-302. Legislative declaration.** (1) ~~(a)~~ The general assembly
9 hereby finds that the future of Colorado children is of primary concern to
10 the citizens of this state and that the quality of ~~care~~ EARLY CHILDHOOD
11 PROGRAMS AND SERVICES provided to these young children is an integral
12 component in the development of happy, functional, and contributing
13 adults. However, the general assembly has learned that the safety and
14 quality SAFETY, QUALITY, AND AVAILABILITY of ~~available child care~~ is
15 EARLY CHILDHOOD PROGRAMS AND SERVICES ARE at issue in Colorado.
16 ~~Reports by the state auditor's office released in April of 1995 and in~~
17 ~~August of 1998 have identified several areas in which the safety and~~
18 ~~quality of child care in Colorado has been compromised.~~

19 ~~(b)~~ (2) The general assembly further finds that, based upon the
20 evidence presented to the interim committee on child care established
21 pursuant to SJR 99-034, there are many programs that should be

1 considered, tested, evaluated, or established that may better serve children
2 in this state and help to provide them with high quality, affordable child
3 care. The general assembly recognizes that the interim committee on
4 child care addressed a wide range of issues in proposed legislation but
5 further notes that many issues were of too great a nature to be thoroughly
6 studied by the committee in the very limited time available to it.

7 (e) (3) Accordingly, the general assembly finds that it is
8 appropriate and in the best interests of the citizens of the state of
9 Colorado to establish a commission to continue studying the critical
10 issues impacting ~~child care~~ EARLY CHILDHOOD PROGRAMS AND SERVICES
11 in the state of Colorado in an effort to improve the quality of ~~child care~~
12 ~~provided to~~ LIFE OF the youngest citizens of the state.

13 (d) (4) The general assembly recognizes that it is the primary right
14 and obligation of parents to determine and provide the proper early
15 childhood ~~care and education~~ EXPERIENCE for their children. The general
16 assembly further recognizes that ~~preschool~~ children receive the best start
17 in life when their parents are actively engaged in their daily activities and
18 are ACTIVITIES, CARE, AND EDUCATION. directly providing their care and
19 education. Recognizing these principles, the general assembly directs the
20 commission to work toward A COMPREHENSIVE early childhood ~~systems~~
21 SYSTEM that ~~foster~~ FOSTERS as much parental involvement as possible and
22 ~~maintain~~ MAINTAINS the maximum amount of authority and responsibility
23 for parents.

24 (e) (5) In addition, the general assembly finds that the reports of
25 the commission filed with the general assembly since November 1, 2001,
26 as well as recent state and national longitudinal studies, indicate that
27 QUALITY early childhood ~~care and education~~ PROGRAMS AND SERVICES are

1 directly linked to children's school readiness. These studies show that
2 quality early childhood ~~care and education~~ PROGRAMS AND SERVICES
3 result in children being able to enter school with the basic skills necessary
4 to succeed in school. Studies also indicate that quality early childhood
5 ~~care and education~~ PROGRAMS AND SERVICES are the foundations for
6 academic achievement and productivity in life.

7 (f) (6) The general assembly further finds that, ~~through the process~~
8 ~~of studying and analyzing early childhood care and education issues, the~~
9 ~~commission has located numerous statewide initiatives that have~~
10 ~~developed long-range comprehensive strategies and plans related to early~~
11 ~~childhood systems at the state and local level~~ BASED ON THE STUDIES AND
12 REPORTS OF THE COMMISSION, CHILDREN IN THE STATE WOULD BENEFIT
13 FROM THE CREATION OF A COMPREHENSIVE EARLY CHILDHOOD SYSTEM,
14 AT THE STATE AND LOCAL LEVELS, THAT INCLUDES FAMILY SUPPORT
15 PROGRAMS, HEALTH PROGRAMS, MENTAL HEALTH PROGRAMS, AND EARLY
16 CHILDHOOD CARE AND EDUCATION PROGRAMS.

17 (g) (7) The general assembly finds that the commission, with
18 specialized knowledge and expertise concerning the links between early
19 childhood ~~care and education~~ PROGRAMS AND SERVICES, early childhood
20 development, and school readiness, should expand upon its study, review,
21 and evaluation of school readiness ~~and early childhood care and education~~
22 and should continue its plans for creating a comprehensive early
23 childhood system.

24 (8) THE GENERAL ASSEMBLY FURTHER FINDS THAT EARLY
25 CHILDHOOD PROGRAMS AND SERVICES IN THE STATE ARE ADMINISTERED
26 SEPARATELY BY MULTIPLE STATE DEPARTMENTS AND AGENCIES,
27 RESULTING IN OVERLAPS, DUPLICATIONS, GAPS, AND VARYING

1 STANDARDS. THEREFORE, THE GENERAL ASSEMBLY DIRECTS THE
2 COMMISSION TO PREPARE, AS PART OF ITS PLAN FOR CREATING A
3 COMPREHENSIVE EARLY CHILDHOOD SYSTEM AS REQUIRED PURSUANT TO
4 SECTION 26-6-305 (1) (a), RECOMMENDATIONS FOR THE GENERAL
5 ASSEMBLY REGARDING THE CREATION OF A GOVERNING AUTHORITY FOR
6 EARLY CHILDHOOD PROGRAMS AND SERVICES OFFERED IN THE STATE,
7 WHICH AUTHORITY SHALL CONSULT AND INCORPORATE THE EXPERTISE OF:

8 (a) STATE DEPARTMENTS AND AGENCIES THAT PROVIDE OR
9 SUPPORT EARLY CHILDHOOD PROGRAMS AND SERVICES;

10 (b) PRIVATE ORGANIZATIONS THAT PROVIDE OR SUPPORT EARLY
11 CHILDHOOD PROGRAMS AND SERVICES; AND

12 (c) LOCAL EARLY CHILDHOOD COUNCILS.

13 **26-6-303. Definitions.** As used in this part 3, unless the context
14 otherwise provides:

15 (1) ~~"Child care" means care provided to a child or children by a~~
16 ~~child care facility required to be licensed pursuant to part 1 of this article~~
17 ~~or by a facility described in section 26-6-103 that is not required to be~~
18 ~~licensed. The term "child care" as used in this part 3 does not include~~
19 ~~care provided to a child by that child's parent or legal guardian.~~

20 (2) ~~"Child care facility" means any facility required to be licensed~~
21 ~~pursuant to part 1 of this article and shall include, but is not limited to:~~

22 (a) ~~Child care centers;~~

23 (b) ~~Child placement agencies;~~

24 (c) ~~Family child care homes;~~

25 (d) ~~Foster care homes;~~

26 (e) ~~Homeless youth shelters;~~

27 (f) ~~Residential child care facilities; and~~

1 ~~(g) Secure residential treatment centers.~~

2 (3) "Commission" means the early childhood ~~and school readiness~~
3 commission created in section 26-6-304.

4 (4) ~~"Early childhood care and education~~ PROGRAMS AND
5 SERVICES" means ~~care for young children that nurtures social, emotional,~~
6 ~~physical, and cognitive development, is provided in a safe and healthy~~
7 ~~environment for children, and is provided by for-profit and not-for-profit~~
8 ~~child care centers, child care homes, and preschools, including but not~~
9 ~~limited to faith-based care~~ PUBLIC AND PRIVATE PROGRAMS THAT
10 DIRECTLY BENEFIT CHILDREN WHO ARE YOUNGER THAN EIGHT YEARS OF
11 AGE, INCLUDING BUT NOT LIMITED TO FAMILY SUPPORT PROGRAMS,
12 HEALTH PROGRAMS, MENTAL HEALTH PROGRAMS, AND EARLY CHILDHOOD
13 CARE AND EDUCATION PROGRAMS.

14 (5) "Early childhood system" means a collaborative, integrated
15 system of ~~care-givers~~ EARLY CHILDHOOD PROGRAMS AND SERVICES,
16 including but not limited to:

17 (a) Individuals, community groups, associations, and agencies that
18 regularly interact in forming comprehensive partnerships and
19 cooperatives around child physical health, child mental health, early
20 childhood care and education, and family support with the purpose of
21 supporting families and communities; AND

22 (b) A GOVERNING AUTHORITY FOR EARLY CHILDHOOD
23 PROGRAMS AND SERVICES OFFERED IN THE STATE, AS DESCRIBED IN
24 SECTION 26-6-305 (1) (f).

25 (6) "School readiness" means the ability of a child to succeed in
26 school based on the child's physical health and motor development, social
27 and emotional development, language development, and cognition and

1 general knowledge development from birth to age eight and also includes
2 the ability of schools, families, and communities to support children's
3 learning and success.

4 **26-6-304. Early childhood commission - created - repeal.**

5 (1) (a) In order to continue the study and review of the early childhood
6 system in the state of Colorado, there is hereby created in the state
7 department the early childhood and school readiness commission. The
8 commission shall consist of fifteen members to be appointed for terms of
9 three years; except that, of the members first appointed, five members
10 shall be appointed for one year, five members for two years, and five
11 members for three years. The appointing authorities shall jointly
12 determine which commission members shall serve reduced terms; except
13 that the members described in paragraph (b) of this subsection (1) shall
14 be included in the group of members first appointed for two years.
15 Vacancies shall be filled by appointment of the original appointing
16 authority for the remainder of the unexpired term. Initial appointments
17 shall be made to the commission no later than August 1, 2000.

18 (b) The governor shall appoint nine members of the commission,
19 no more than five of whom shall be from the same political party, who
20 shall be representative of the cultural and geographic diversity of the state
21 and at least one of whom shall have experience working with children
22 with disabilities. The members of the commission appointed by the
23 governor shall also be representative of the following interests,
24 organizations, state agencies, and boards:

25 (I) The division of child care in the state department of human
26 services;

27 (II) The community consolidated child care services pilot program

- 1 established pursuant to article 6.5 of this title;
- 2 (III) Educators teaching children in preschool, kindergarten, or
3 grades one through five;
- 4 (IV) The state board for community colleges and occupational
5 education;
- 6 (V) The county departments of social services;
- 7 (VI) Child care facilities;
- 8 (VII) Parents of children currently enrolled in a public or private
9 early childhood care and education program;
- 10 (VIII) The business community;
- 11 (IX) Non-profit or not-for-profit organizations that evaluate the
12 quality of early childhood care and education programs and assign ratings
13 thereto in an effort to assess the success of such programs and to improve
14 the ultimate delivery of early childhood care and education.

15 (b.5) Notwithstanding the provisions of paragraph (b) of this
16 subsection (1), on and after July 1, 2004, the governor's appointments to
17 the commission shall be increased by two, resulting in eleven total
18 appointments to the commission by the governor, no more than six of
19 whom shall be from the same political party. The additional persons
20 appointed by the governor shall be representative of the cultural and
21 geographic diversity of the state. The governor's appointments to the
22 commission shall be further modified as follows:

- 23 (I) The member representing child care facilities appointed
24 pursuant to subparagraph (VI) of paragraph (b) of this subsection (1) shall
25 be deemed removed as of June 30, 2004, and the governor shall appoint
26 two members to represent child care facilities, one of whom represents a
27 nonprofit child care facility and one of whom represents a private

1 for-profit child care facility;

2 (II) The member who is a parent of a child currently enrolled in
3 a public or private early childhood care and education program appointed
4 pursuant to subparagraph (VII) of paragraph (b) of this subsection (1)
5 shall be deemed removed as of June 30, 2004, and the governor shall
6 appoint a new member who is a parent of a child currently enrolled in a
7 nonprofit or private for-profit early childhood care and education program
8 who is not otherwise engaged in the business of child care or early
9 childhood education;

10 (III) The member representing the business community appointed
11 pursuant to subparagraph (VIII) of paragraph (b) of this subsection (1)
12 shall be deemed removed as of June 30, 2004, and the governor shall
13 appoint a new member to represent the business community, which
14 member shall not be engaged in the business of child care or early
15 childhood education; and

16 (IV) The governor shall appoint a new member who is a director
17 of a Colorado head start grantee program.

18 (c) Six of the members of the commission shall be members of the
19 general assembly and shall be appointed as follows:

20 (I) The president of the senate shall appoint two members from
21 the senate, and the minority leader of the senate shall appoint one member
22 from the senate to serve on the commission, no more than two of whom
23 shall be members of the same political party.

24 (II) The speaker of the house of representatives shall appoint three
25 members from the house of representatives to serve on the commission,
26 no more than two of whom shall be members of the same political party.

27 (d) Notwithstanding the terms of appointment referenced in

1 paragraph (a) of this subsection (1), on and after July 1, 2004, the
2 members remaining on the commission pursuant to paragraphs (b) and (c)
3 of this subsection (1) and the new members appointed pursuant to
4 paragraph (b.5) of this subsection (1) shall each serve for a term of three
5 years, with the term commencing on July 1, 2004.

6 (e) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JUNE 30, 2007.

7 (1.5) (a) EFFECTIVE JUNE 30, 2007, THE EARLY CHILDHOOD AND
8 SCHOOL READINESS COMMISSION, CREATED PURSUANT TO SUBSECTION (1)
9 OF THIS SECTION AS IT EXISTED PRIOR TO ITS REPEAL, IS ABOLISHED, AND
10 THE TERMS OF THE MEMBERS THEN SERVING ARE TERMINATED.

11 (b) EFFECTIVE JULY 1, 2007, THERE IS HEREBY CREATED IN THE
12 STATE DEPARTMENT THE EARLY CHILDHOOD COMMISSION. THE
13 COMMISSION SHALL CONSIST OF TWENTY-THREE MEMBERS. ANY MEMBER
14 OF THE EARLY CHILDHOOD AND SCHOOL READINESS COMMISSION
15 ABOLISHED IN PARAGRAPH (a) OF THIS SUBSECTION (1.5) MAY BE
16 APPOINTED TO SUCCEED HIMSELF OR HERSELF ON THE COMMISSION.
17 VACANCIES SHALL BE FILLED BY APPOINTMENT OF THE ORIGINAL
18 APPOINTING AUTHORITY. INITIAL APPOINTMENTS SHALL BE MADE TO THE
19 COMMISSION NO LATER THAN JULY 1, 2007.

20 (c) THE GOVERNOR SHALL APPOINT TWELVE MEMBERS OF THE
21 COMMISSION, NO MORE THAN SEVEN OF WHOM SHALL BE FROM THE SAME
22 POLITICAL PARTY, WHO SHALL BE REPRESENTATIVE OF THE CULTURAL AND
23 GEOGRAPHIC DIVERSITY OF THE STATE AND AT LEAST ONE OF WHOM SHALL
24 HAVE EXPERIENCE WORKING WITH CHILDREN WITH DISABILITIES. THE
25 GOVERNOR'S APPOINTEES SHALL CONSIST OF THE FOLLOWING:

26 (I) THE DIRECTOR OF A COMMUNITY CONSOLIDATED CHILD CARE
27 SERVICES PILOT AGENCY ESTABLISHED PURSUANT TO SECTION 26-6.5-103

1 (3); ==

2 (II) A REPRESENTATIVE OF THE COLORADO COMMISSION ON
3 HIGHER EDUCATION CREATED IN SECTION 23-1-102, C.R.S.;

4 (III) A COUNTY COMMISSIONER OR THE DIRECTOR OF A COUNTY
5 DEPARTMENT OF SOCIAL SERVICES;

6 (IV) FOUR DIRECTORS OF STATEWIDE PRIVATE OR NONPROFIT
7 ORGANIZATIONS THAT REPRESENT EARLY CHILDHOOD PROGRAMS AND
8 SERVICES AS FOLLOWS:

9 (A) THE DIRECTOR OF A FAMILY SUPPORT PROGRAM;

10 (B) THE DIRECTOR OF A HEALTH PROGRAM;

11 (C) THE DIRECTOR OF A MENTAL HEALTH PROGRAM; AND

12 (D) THE DIRECTOR OF AN EARLY CHILDHOOD EDUCATION
13 PROGRAM;

14 (V) THE DIRECTOR OF A STATEWIDE PARENT ADVOCACY
15 ORGANIZATION;

16 (VI) A REPRESENTATIVE OF THE BUSINESS COMMUNITY, WHICH
17 MEMBER SHALL NOT BE ENGAGED IN ANY BUSINESS THAT PROVIDES EARLY
18 CHILDHOOD PROGRAMS AND SERVICES;

19 (VII) A REPRESENTATIVE OF A STATEWIDE ALLIANCE OF EARLY
20 CHILDHOOD PARTNERSHIPS, THE SOLE CHARGE OF WHICH IS TO BUILD A
21 COMPREHENSIVE SYSTEM FOR YOUNG CHILDREN AND THEIR FAMILIES;

22 (VIII) THE DIRECTOR OF A COLORADO HEAD START GRANTEE
23 PROGRAM; AND

24 (IX) A REPRESENTATIVE OF THE GOVERNOR'S OFFICE.

25 (d) SIX OF THE MEMBERS OF THE COMMISSION SHALL BE MEMBERS
26 OF THE GENERAL ASSEMBLY AND SHALL BE APPOINTED AS FOLLOWS:

27 (I) THE PRESIDENT OF THE SENATE SHALL APPOINT TWO MEMBERS

1 FROM THE SENATE AND THE MINORITY LEADER OF THE SENATE SHALL
2 APPOINT ONE MEMBER FROM THE SENATE TO SERVE ON THE COMMISSION.

3 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
4 APPOINT TWO MEMBERS FROM THE HOUSE OF REPRESENTATIVES AND THE
5 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT
6 ONE MEMBER FROM THE HOUSE OF REPRESENTATIVES TO SERVE ON THE
7 COMMISSION.

8 (e) FIVE OF THE MEMBERS OF THE COMMISSION SHALL BE VOTING
9 EX OFFICIO MEMBERS AS FOLLOWS:

10 (I) THE COMMISSIONER OF EDUCATION OR HIS OR HER DESIGNEE;

11 (II) THE DIRECTOR OF THE COMMUNITY AND TECHNICAL COLLEGES
12 APPOINTED PURSUANT TO SECTION 23-60-104 (2) (a) (I), C.R.S., OR HIS OR
13 HER DESIGNEE;

14 (III) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT OR HIS
15 OR HER DESIGNEE;

16 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
17 HEALTH AND ENVIRONMENT OR HIS OR HER DESIGNEE; AND

18 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
19 CARE POLICY AND FINANCING OR HIS OR HER DESIGNEE.

20 (2) The members of the commission who are members of the
21 general assembly shall be compensated as provided in section 2-2-307,
22 C.R.S., from the early childhood ~~and school readiness~~ cash fund created
23 pursuant to section 26-6-306.5. Members of the commission who are not
24 members of the general assembly shall be reimbursed for their actual and
25 necessary expenses incurred in the performance of their official duties
26 while serving on the commission from the early childhood ~~and school~~
27 ~~readiness~~ cash fund created pursuant to section 26-6-306.5.

1 (3) A majority of the members of the commission shall constitute
2 a quorum. A quorum shall have full and complete power to act upon and
3 resolve in the name of the commission any matter or question properly
4 before it at any meeting. The commission, as soon after appointment as
5 practicable and each year thereafter, shall elect executive officers to
6 preside at all meetings of the commission from among its members who
7 shall hold office until their successors are elected. The secretary, or his
8 or her designee, shall make a record of the proceedings thereof that shall
9 be preserved in the office of the state department.

10 (4) The commission shall meet as often as necessary to carry out
11 its duties as specified in this part 3. In completing its duties, the
12 commission shall solicit input from parents, ~~child-care~~ providers OF
13 EARLY CHILDHOOD PROGRAMS AND SERVICES, and other interested
14 persons.

15 **26-6-305. Early childhood commission - duties.** (1) The
16 commission shall continue to study, review, and evaluate the development
17 of plans for creating a comprehensive early childhood system. In relation
18 to the development of plans for creating ~~an~~ A COMPREHENSIVE early
19 childhood system, the commission shall have the following duties:

20 (a) To evaluate plans for the creation of an early childhood system
21 in the state of Colorado;

22 (b) To work with the state and local departments responsible for
23 the welfare child care, and education of the children of the state of
24 Colorado to develop a locally driven, state-coordinated system of care
25 that improves the school readiness and the quality and delivery of the
26 early childhood system;

27 (c) (Deleted by amendment, L. 2004, p. 1768, § 5, effective June

1 4, 2004.)

2 (d) To involve parents, businesses, communities, early childhood
3 professionals, service delivery providers, and policymakers in promoting
4 an early childhood system; and

5 (e) To serve as a resource for the implementation of an early
6 childhood system; AND

7 (f) TO PREPARE RECOMMENDATIONS FOR THE GENERAL ASSEMBLY
8 REGARDING THE CREATION OF A GOVERNING AUTHORITY FOR EARLY
9 CHILDHOOD PROGRAMS AND SERVICES OFFERED IN THE STATE, INCLUDING
10 FAMILY SUPPORT PROGRAMS, HEALTH PROGRAMS, MENTAL HEALTH
11 PROGRAMS, AND EARLY CHILDHOOD CARE AND EDUCATION PROGRAMS.

12 IN PREPARING THE RECOMMENDATIONS, THE COMMISSION SHALL:

13 (I) COMPILE, REVIEW, EVALUATE, AND INCORPORATE EXISTING
14 PLANS AND FISCAL ANALYSES RELEVANT TO EARLY CHILDHOOD PROGRAMS
15 AND SERVICES;

16 (II) IDENTIFY SUCCESSES AND FAILURES OF EXISTING EARLY
17 CHILDHOOD PROGRAMS AND SERVICES;

18 (III) IDENTIFY OVERLAPS, DUPLICATIONS, GAPS, AND VARYING
19 STANDARDS IN EXISTING EARLY CHILDHOOD PROGRAMS AND SERVICES;

20 (IV) REVIEW EXISTING LAWS AND REGULATIONS RELEVANT TO
21 EARLY CHILDHOOD PROGRAMS AND SERVICES;

22

23 (V) DETERMINE THE MEANS BY WHICH EARLY CHILDHOOD
24 PROGRAMS AND SERVICES SHALL BE ACCOUNTABLE TO THE STATE
25 GOVERNMENT; AND

26 (VI) CONSULT WITH AND INCORPORATE THE EXPERTISE OF:

27 (A) PARENTS;

1 (B) COMMUNITY CONSOLIDATED CHILD CARE SERVICES PILOT
2 AGENCIES ESTABLISHED PURSUANT TO SECTION 26-6.5-103 (3); ==

3 (C) PROVIDERS OF FAMILY SUPPORT PROGRAMS, HEALTH
4 PROGRAMS, MENTAL HEALTH PROGRAMS, AND EARLY CHILDHOOD CARE
5 AND EDUCATION PROGRAMS;

6 (D) REPRESENTATIVES OF THE FEDERAL HEAD START PROGRAM IN
7 THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES,
8 REGION EIGHT;

9 (E) REPRESENTATIVES OF THE COLORADO COMMISSION ON HIGHER
10 EDUCATION;

11 (F) REPRESENTATIVES OF LOCAL PUBLIC EDUCATION, INCLUDING
12 SCHOOL DISTRICT BOARD OF EDUCATION MEMBERS, ADMINISTRATORS, AND
13 TEACHERS;

14 (G) REPRESENTATIVES OF THE CHILD CARE RESOURCE AND
15 REFERRAL SERVICE IN THE STATE DEPARTMENT;

16 (H) REPRESENTATIVES OF THE PREVENTION SERVICES DIVISION IN
17 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

18 (I) REPRESENTATIVES OF PROFESSIONAL DEVELOPMENT PROGRAMS
19 FOR PROVIDERS OF EARLY CHILDHOOD PROGRAMS AND SERVICES;

20 (J) REPRESENTATIVES OF COLORADO COUNTY GOVERNMENTS;

21 (K) BUSINESS LEADERS;

22 (L) REPRESENTATIVES OF A STATEWIDE ORGANIZATION THAT
23 REPRESENTS SCHOOL DISTRICTS;

24 (M) REPRESENTATIVES OF MUNICIPALITIES; AND

25 (N) PROFESSIONAL ASSOCIATIONS THAT REPRESENT PROVIDERS OF
26 CHILD CARE SERVICES.

27 ==

1 **26-6-306. Reports - proposed legislation.** (1) The commission
2 shall PREPARE A report ~~to the members of the general assembly~~ on or
3 before ~~November 1, 2005, and on or before July 1, 2007,~~ JULY 1, 2008,
4 AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER, concerning the
5 matters it has studied and addressed. ~~The report shall include~~
6 ~~recommendations of the commission.~~ THE COMMISSION SHALL SUBMIT
7 THE REPORT TO:

8 (a) THE EDUCATION COMMITTEES OF THE HOUSE OF
9 REPRESENTATIVES AND THE SENATE OR ANY SUCCESSOR COMMITTEES;

10 (b) THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE
11 HOUSE OF REPRESENTATIVES AND THE SENATE OR ANY SUCCESSOR
12 COMMITTEES;

13 (c) THE JOINT BUDGET COMMITTEE; AND

14 (d) THE OFFICE OF THE GOVERNOR.

15 (1.5) THE COMMISSION SHALL PREPARE A FINAL REPORT ON OR
16 BEFORE JULY 1, 2009, OF THE COMMISSION'S RECOMMENDATIONS
17 REGARDING THE CREATION OF A GOVERNING AUTHORITY FOR EARLY
18 CHILDHOOD PROGRAMS AND SERVICES OFFERED IN THE STATE, AS
19 DESCRIBED IN SECTION 26-6-305 (1) (f). THE COMMISSION SHALL SUBMIT
20 THE REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR'S OFFICE.

21 (2) The legislative members of the commission shall submit
22 proposals for legislation, if any, to the legislative council each year no
23 later than the applicable deadline for approval of interim committee bills
24 as specified in joint rule 24 of the legislative rules.

25 **26-6-306.5. Early childhood commission - authority to**
26 **contract for staff - authority to seek and accept gifts, grants, or**
27 **donations - creation of fund - expenditures from fund.** (1) The state

1 department is hereby authorized to enter into a contract for staff
2 assistance to carry out the provisions and purposes of this part 3. ~~if the~~
3 ~~state department receives gifts, grants, and donations in an amount~~
4 ~~sufficient to fund staff assistance.~~

5 (2) The state department is authorized to seek and accept gifts,
6 grants, and donations from private or public sources for the purposes of
7 this part 3. All private and public funds received through gifts, grants, or
8 donations shall be transmitted to the state treasurer, who shall credit the
9 same to the early childhood ~~and school readiness~~ cash fund, which fund
10 is hereby created and referred to in this part 3 as the "fund". The moneys
11 in the fund shall be subject to annual appropriation by the general
12 assembly to the state department and the legislative council for the direct
13 and indirect costs associated with the implementation of this part 3. Any
14 unexpended and unencumbered moneys remaining in the fund at the end
15 of a fiscal year shall remain in the fund and shall not be credited or
16 transferred to the general fund or another fund. All unexpended and
17 unencumbered moneys remaining in the fund as of ~~July 1, 2007~~, JULY 1,
18 2009, shall be transferred to the child care cash fund, created in section
19 26-6-114 (5).

20 (3) Compensation as provided in section 26-6-304 (2) for
21 commission members who are members of the general assembly shall be
22 approved by the chair of the legislative council and paid by vouchers and
23 warrants drawn as provided by law from funds appropriated for such
24 purpose and allocated to the legislative council from the fund.

25 (4) (a) ~~It is the intent of the general assembly that no general fund~~
26 ~~moneys shall be obligated or appropriated to implement the provisions of~~
27 ~~this part 3.~~

1 ~~(b) If the early childhood and school readiness cash fund created~~
2 ~~pursuant to this section does not contain moneys sufficient to pay the~~
3 ~~members of the commission for fiscal year 2004-05 by December 1,~~
4 ~~2004, then the state department shall notify the commission, the state~~
5 ~~treasurer, and the revisor of statutes, and this part 3 shall be repealed,~~
6 ~~effective December 1, 2004.~~

7 ~~(c) If the early childhood and school readiness cash fund created~~
8 ~~pursuant to this section does not contain moneys sufficient to pay the~~
9 ~~members of the commission for fiscal year 2005-06 by December 1,~~
10 ~~2005, then the state department shall notify the commission, the state~~
11 ~~treasurer, and the revisor of statutes, and this part 3 shall be repealed,~~
12 ~~effective December 1, 2005.~~

13 ~~(d) If the early childhood and school readiness cash fund created~~
14 ~~pursuant to this section does not contain moneys sufficient to pay the~~
15 ~~members of the commission for fiscal year 2006-07 by December 1,~~
16 ~~2006, then the state department shall notify the commission, the state~~
17 ~~treasurer, and the revisor of statutes, and this part 3 shall be repealed,~~
18 ~~effective December 1, 2006.~~

19 **26-6-307. Repeal of part.** This part 3 is repealed, effective July
20 1, 2007 ~~AUGUST 1, 2009.~~ except that this part 3 may be repealed prior to
21 July 1, 2007, if repeal is required by section 26-6-306.5 (4).

22 **SECTION 2.** 39-22-121 (1.7) and (2) (a), Colorado Revised
23 Statutes, are amended to read:

24 **39-22-121. Credit for child care facilities - repeal.** (1.7) As
25 used in this section, unless the context otherwise requires:

26 (a) "Child care" means care provided to a child twelve years of
27 age or younger.

1 (b) "CHILD CARE FACILITY" MEANS ANY FACILITY REQUIRED TO BE
2 LICENSED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S., AND
3 SHALL INCLUDE, BUT IS NOT LIMITED TO:

- 4 (I) CHILD CARE CENTERS;
- 5 (II) CHILD PLACEMENT AGENCIES;
- 6 (III) FAMILY CHILD CARE HOMES;
- 7 (IV) FOSTER CARE HOMES;
- 8 (V) HOMELESS YOUTH SHELTERS;
- 9 (VI) RESIDENTIAL CHILD CARE FACILITIES; AND
- 10 (VII) SECURE RESIDENTIAL TREATMENT CENTERS.

11 (2) Monetary or in-kind contributions to promote child care in the
12 state shall include the following types of contributions:

13 (a) Donating money, real estate, or property for the establishment
14 or operation of a child care facility as defined in section 26-6-303 (2),
15 C.R.S., that uses the donation to provide child care, a child care program
16 that is not a child care facility but provides child care services similar to
17 those provided by a child care center, as defined in section 26-6-102
18 (1.5), C.R.S., or any other program that received donations for which a
19 credit was allowed to the donor pursuant to this section for any income
20 tax year that ended before January 1, 2004, in the state;

21 **SECTION 3. Appropriation.** In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 general fund not otherwise appropriated, to the early childhood cash fund
24 created pursuant to section 26-6-306.5, for the fiscal year beginning July
25 1, 2007, the sum of _____ dollars (\$) and _____ FTE, or so much
26 thereof as may be necessary, for the implementation of this act.

27 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.