

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 10-1037.01 Julie Pelegrin

SENATE BILL 10-195

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SENATE SPONSORSHIP

Newell,

HOUSE SPONSORSHIP

Solano,

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Senate Committees

Health and Human Services

House Committees

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A BILL FOR AN ACT

101 CONCERNING CREATION OF THE EARLY CHILDHOOD LEADERSHIP  
102 COMMISSION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billssummaries>.)*

The bill creates the early childhood leadership commission (commission) to advance a comprehensive service delivery system for children from birth to 8 years of age using data to improve decision-making, alignment, and coordination among federally funded and state-funded services and programs targeted at young children and

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.*

their families. The commission will consist of up to 31 members, including representatives from 8 governmental agencies that provide or are involved in providing services and supports to young children and their families and up to 23 persons appointed by the governor who represent community and local government agencies that provide services and support for young children, nonprofit organizations that are involved in children's issues, and representatives from the business community. The commission may appoint an executive director and the executive director may hire persons to assist the commission, which persons may be paid only from gifts, grants, or donations. The departments represented on the commission may also provide support services within existing appropriations, and the commission may accept in-kind contributions of services.

The commission's duties include creating a unified data system regarding services and supports for young children, generally coordinating and aligning the efforts of state agencies in providing these services and supports, reviewing and approving, if appropriate, requests made by the early childhood councils for waivers of rules, and making recommendations to the governor, the general assembly, and public and private agencies and policy boards concerning creating a state-level oversight and coordination structure for services and supports for children from birth to 8 years of age. The commission will collaborate with other executive-branch boards, commissions, and councils that address children's issues and with statewide organizations that address child protection and criminal justice issues. The commission will report its recommendations annually in a joint meeting with the governor and the education and health and human services committees of the general assembly.

The bill creates the early childhood leadership commission fund. Any gifts, grants, or donations that the commission receives will be credited to the fund, and the governor may allocate moneys to the fund, but the fund may not receive appropriations from the general fund.

The bill makes a conforming amendment concerning granting regulatory waiver requests by early childhood councils and directing the early childhood council advisory team to collaborate with the commission.

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

2           **SECTION 1.** Title 24, Colorado Revised Statutes, is amended BY  
3 THE ADDITION OF A NEW ARTICLE to read:

4   **ARTICLE 44.7**

1 **Early Childhood Leadership Commission**

2 **24-44.7-101. Legislative declaration.** (1) THE GENERAL  
3 ASSEMBLY HEREBY FINDS THAT:

4 (a) PUBLIC INVESTMENTS FOR YOUNG CHILDREN FROM BIRTH TO  
5 EIGHT YEARS OF AGE FALL BEHIND INVESTMENTS FOR OLDER COLORADO  
6 CHILDREN AND LAG BEHIND NATIONAL TRENDS;

7 (b) RESOURCES THAT ARE AVAILABLE FOR SERVICES AND  
8 SUPPORTS FOR YOUNG CHILDREN ARE DERIVED FROM, AT A MINIMUM,  
9 TWENTY-THREE DIFFERENT PUBLIC FUNDING SOURCES;

10 (c) PROGRAMS THAT PROVIDE SERVICES AND SUPPORTS FOR YOUNG  
11 CHILDREN BLEND MULTIPLE SOURCES OF PUBLIC FUNDING, ALTHOUGH  
12 EACH SOURCE HAS ITS OWN PROGRAM STANDARDS AND ELIGIBILITY,  
13 REPORTING, DATA TRACKING, AND FUNDING REQUIREMENTS;

14 (d) THE EARLY CHILDHOOD SYSTEM IN COLORADO COMPRISES  
15 FOUR SYSTEM SECTORS THAT ADDRESS THE NEEDS OF CHILDREN,  
16 INCLUDING EARLY LEARNING, CHILD HEALTH, CHILD MENTAL HEALTH, AND  
17 FAMILY SUPPORT AND PARENT EDUCATION. RESEARCH CONFIRMS THAT  
18 THESE AREAS ARE INTERRELATED AND THAT IT IS DIFFICULT, IF NOT  
19 IMPOSSIBLE, TO SEPARATE CHILDREN'S LEARNING NEEDS FROM THEIR  
20 HEALTH AND WELLNESS OR FROM THE INVOLVEMENT AND SUPPORT OF  
21 THEIR FAMILIES.

22 (e) THE SUPPORT SYSTEMS AND SERVICES THAT COMPOSE  
23 COLORADO'S EARLY CHILDHOOD SYSTEM ARE CURRENTLY SPREAD ACROSS  
24 MULTIPLE PUBLIC AGENCIES, INCLUDING BUT NOT LIMITED TO THE  
25 DEPARTMENTS OF EDUCATION, HUMAN SERVICES, PUBLIC HEALTH AND  
26 ENVIRONMENT, HEALTH CARE POLICY AND FINANCING, AND HIGHER  
27 EDUCATION, AS WELL AS VARIOUS PRIVATE ENTITIES;

1 (f) THERE ARE AT LEAST SIX SEPARATE COUNCILS OR COMMISSIONS  
2 CREATED IN STATUTE OR BY EXECUTIVE ORDER THAT ADDRESS ISSUES  
3 RELATING TO SERVICES AND SUPPORTS FOR YOUNG CHILDREN AND A  
4 MYRIAD OF RELATED GROUPS CREATED BY PUBLIC AND PRIVATE  
5 ORGANIZATIONS THAT SPECIALIZE IN EARLY CHILDHOOD ISSUES;

6 (g) FOR THE STATE'S EARLY CHILDHOOD SYSTEM TO OPERATE  
7 EFFECTIVELY, THE EFFORTS OF THE PUBLIC AND PRIVATE AGENCIES THAT  
8 COMPOSE THE SYSTEM MUST BE EFFICIENTLY COORDINATED, ALIGNED TO  
9 STATE AND FEDERAL STANDARDS, AND MADE ACCOUNTABLE ACROSS  
10 STATE SYSTEMS; AND

11 (h) WHILE THERE ARE SEVERAL PLANNING EFFORTS RELATED TO  
12 EARLY CHILDHOOD SERVICES AND COLLABORATIVE BODIES WITHIN STATE  
13 AND LOCAL GOVERNMENTS, THERE IS NO SINGLE VENUE TO ALLOW  
14 HIGH-LEVEL DECISION MAKING AMONG POLICY MAKERS, TO COLLECTIVELY  
15 STUDY RECOMMENDATIONS, AND TO MAKE JOINT POLICY AND FUNDING  
16 RECOMMENDATIONS.

17 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

18 (a) A COMMISSION TO ASSIST IN COORDINATING SERVICES AND  
19 SUPPORTS FOR YOUNG CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE  
20 WILL IMPROVE THE DELIVERY OF THOSE SERVICES AND IMPROVE THE  
21 EDUCATIONAL, HEALTH, EMOTIONAL AND MENTAL HEALTH, CHILD  
22 WELFARE, AND EMPLOYMENT OUTCOMES FOR THESE CHILDREN AND THEIR  
23 FAMILIES; AND

24 (b) A COMMISSION TO ASSIST IN COORDINATING THE DELIVERY OF  
25 SERVICES AND SUPPORTS FOR YOUNG CHILDREN WILL ALSO SIGNIFICANTLY  
26 IMPROVE COLORADO'S WORKFORCE AND ECONOMIC DEVELOPMENT BY:

27 (I) HELPING TO ENSURE A HEALTHY, WELL-EDUCATED WORKFORCE

1 FAR INTO THE FUTURE;

2 (II) SUPPORTING THOSE PERSONS WHO CURRENTLY PROVIDE EARLY  
3 CHILDHOOD SERVICES AND SUPPORTS AND CREATING ADDITIONAL  
4 EMPLOYMENT OPPORTUNITIES;

5 (III) SUPPORTING PARENTS OF YOUNG CHILDREN WHO NEED  
6 DEPENDABLE, HIGH-QUALITY CHILD CARE AND SUPPORTIVE SERVICES IN  
7 ORDER TO BE FULLY ENGAGED AND PRODUCTIVE IN THEIR JOBS; AND

8 (IV) SUPPORTING THE MARKET IN EARLY CHILDHOOD SERVICES  
9 AND PRODUCTS AS A VIBRANT ELEMENT OF THE STATE'S ECONOMY.

10 (3) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS  
11 ESSENTIAL TO CREATE A HIGH-LEVEL, INTERAGENCY, PUBLIC-PRIVATE  
12 LEADERSHIP COMMISSION TO IDENTIFY OPPORTUNITIES FOR, AND ADDRESS  
13 BARRIERS TO, THE COORDINATION OF FEDERAL AND STATE EARLY  
14 CHILDHOOD POLICIES AND PROCEDURES THAT AFFECT THE HEALTH AND  
15 WELL-BEING OF COLORADO'S CHILDREN.

16 **24-44.7-102. Early childhood leadership commission - created**  
17 **- mission.** (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE  
18 GOVERNOR THE EARLY CHILDHOOD LEADERSHIP COMMISSION, REFERRED  
19 TO IN THIS ARTICLE AS THE "COMMISSION". THE PURPOSE OF THE  
20 COMMISSION SHALL BE TO ENSURE AND ADVANCE A COMPREHENSIVE  
21 SERVICE DELIVERY SYSTEM FOR CHILDREN FROM BIRTH TO EIGHT YEARS  
22 OF AGE USING DATA TO IMPROVE DECISION-MAKING, ALIGNMENT, AND  
23 COORDINATION AMONG FEDERALLY FUNDED AND STATE-FUNDED SERVICES  
24 AND PROGRAMS FOR YOUNG CHILDREN AND THEIR FAMILIES. AT A  
25 MINIMUM, THE COMPREHENSIVE SERVICE DELIVERY SYSTEM FOR CHILDREN  
26 SHALL INCLUDE SERVICES IN THE AREAS OF CHILD HEALTH, CHILD MENTAL  
27 HEALTH, EARLY LEARNING, AND FAMILY SUPPORT AND PARENT

1 EDUCATION.

2 (2) THE COMMISSION SHALL CONSIST OF UP TO THIRTY-ONE  
3 MEMBERS AS FOLLOWS:

4 (a) THE EXECUTIVE DIRECTORS OF EACH OF THE FOLLOWING  
5 AGENCIES OR THEIR DESIGNEES:

6 (I) THE DEPARTMENT OF HUMAN SERVICES;

7 (II) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

8 (III) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

9 AND

10 (IV) THE DEPARTMENT OF HIGHER EDUCATION;

11 (b) THE COMMISSIONER OF EDUCATION OR HIS OR HER DESIGNEE;

12 (c) THE EXECUTIVE DIRECTOR OF THE OFFICE OF INFORMATION  
13 TECHNOLOGY OR HIS OR HER DESIGNEE;

14 (d) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR  
15 HIS OR HER DESIGNEE;

16 (e) THE HEAD START-STATE COLLABORATION DIRECTOR FOR  
17 COLORADO; AND

18 (f) NO MORE THAN TWENTY-THREE PERSONS APPOINTED BY THE  
19 GOVERNOR, WHICH PERSONS COLLECTIVELY HAVE THE FOLLOWING  
20 EXPERTISE, AFFILIATIONS, OR BACKGROUNDS:

21 (I) REPRESENTATIVES OF LOCAL GOVERNMENT GROUPS;

22 (II) A REPRESENTATIVE FROM THE STATE WORK FORCE  
23 DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF THIS TITLE;

24 (III) REPRESENTATIVES OF SCHOOL DISTRICTS;

25 (IV) REPRESENTATIVES OF HEAD START PROGRAMS;

26 (V) PROVIDERS OF EARLY CHILDHOOD SUPPORTS AND SERVICES;

27 (VI) PERSONS WHOSE FAMILIES RECEIVE EARLY CHILDHOOD

1 SUPPORTS OR SERVICES;

2 (VII) REPRESENTATIVES OF STATEWIDE, NONPROFIT  
3 ORGANIZATIONS INVOLVED IN EARLY CHILDHOOD ISSUES; AND

4 (VIII) MEMBERS OF THE BUSINESS COMMUNITY.

5 (3) (a) IN APPOINTING PERSONS TO THE COMMISSION, THE  
6 GOVERNOR SHALL ENSURE THAT THE APPOINTED PERSONS REFLECT THE  
7 GENDER BALANCE AND ETHNIC DIVERSITY IN THE STATE AND PROVIDE  
8 REPRESENTATION FROM THROUGHOUT THE STATE AND THAT THE  
9 COMMISSION INCLUDES REPRESENTATION OF PERSONS WITH DISABILITIES.

10 (b) THE PERSONS APPOINTED TO THE COMMISSION PURSUANT TO  
11 PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION SHALL:

12 (I) SERVE AT THE PLEASURE OF THE GOVERNOR;

13 (II) SERVE TWO-YEAR TERMS; EXCEPT THAT, OF THE PERSONS  
14 INITIALLY APPOINTED, ELEVEN PERSONS SHALL SERVE INITIAL TERMS OF  
15 THREE YEARS. THE GOVERNOR SHALL IDENTIFY THOSE MEMBERS WHO  
16 SHALL SERVE EXTENDED INITIAL TERMS.

17 (III) SERVE WITHOUT COMPENSATION BUT MAY RECEIVE  
18 REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN FULFILLING  
19 THEIR DUTIES ON THE COMMISSION, SUBJECT TO THE AVAILABILITY OF  
20 MONEYS PURSUANT TO SECTION 24-44.7-104.

21 (c) IF A VACANCY OCCURS IN THE POSITIONS APPOINTED PURSUANT  
22 TO PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION, THE GOVERNOR  
23 SHALL APPOINT A PERSON TO FILL THE VACANCY FOR THE REMAINDER OF  
24 THE UNEXPIRED TERM.

25 (d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
26 CONTRARY, THE GOVERNOR MAY IDENTIFY ONE OR MORE OF THE PERSONS  
27 APPOINTED AS OF MARCH 11, 2010, TO THE GOVERNOR'S EARLY

1 CHILDHOOD LEADERSHIP COMMISSION CREATED BY EXECUTIVE ORDER B  
2 2010-002 AS A MEMBER INITIALLY APPOINTED TO THE COMMISSION  
3 PURSUANT TO PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION.

4 (4) THE GOVERNOR SHALL APPOINT THREE PERSONS FROM AMONG  
5 THE MEMBERS OF THE COMMISSION, ONE REPRESENTING BUSINESS  
6 INTERESTS, ONE REPRESENTING PRIVATE, NONPROFIT ENTITIES, AND ONE  
7 REPRESENTING PUBLIC ENTITIES, TO SERVE AS CO-CHAIRS OF THE  
8 COMMISSION. THE COMMISSION SHALL MEET REGULARLY AT THE  
9 DIRECTION OF THE CO-CHAIRS AND AS OFTEN AS NECESSARY TO FULFILL  
10 ITS DUTIES. THE CO-CHAIRS MAY APPOINT WORKING GROUPS AND  
11 SUBCOMMITTEES TO ASSIST THE COMMISSION IN ITS WORK OR TO ADDRESS  
12 SPECIFIC ISSUES. THE WORKING GROUPS AND SUBCOMMITTEES, AT THE  
13 DISCRETION OF THE CO-CHAIRS, MAY CONSIST OF ANY COMBINATION OF  
14 MEMBERS OF THE COMMISSION AND OTHER PERSONS FROM THE  
15 COMMUNITY.

16 (5) THE COMMISSION MAY APPOINT AN EXECUTIVE DIRECTOR TO  
17 ASSIST THE COMMISSION IN FULFILLING ITS DUTIES PURSUANT TO THIS  
18 ARTICLE. THE EXECUTIVE DIRECTOR MAY APPOINT SUCH ADDITIONAL  
19 PERSONS AS MAY BE NECESSARY TO ASSIST THE COMMISSION. THE  
20 EXECUTIVE DIRECTOR AND ANY OTHER PERSONS APPOINTED PURSUANT TO  
21 THIS SUBSECTION (5) SHALL BE COMPENSATED FROM MONEYS CREDITED  
22 TO THE EARLY CHILDHOOD LEADERSHIP COMMISSION FUND CREATED IN  
23 SECTION 24-44.7-104.

24 (6) THE GOVERNOR'S OFFICE AND THE AGENCIES REPRESENTED ON  
25 THE COMMISSION MAY, AT THE REQUEST OF THE COMMISSION AND WITHIN  
26 EXISTING APPROPRIATIONS, PROVIDE NECESSARY SUPPORT TO THE  
27 COMMISSION, INCLUDING BUT NOT LIMITED TO ADMINISTRATIVE SUPPORT,

1 DATA, AND OTHER ANALYTICAL INFORMATION. IN ADDITION, THE  
2 COMMISSION MAY ACCEPT IN-KIND CONTRIBUTIONS FROM PUBLIC AND  
3 PRIVATE ENTITIES TO THE EXTENT NECESSARY TO COVER THE EXPENSES OF  
4 THE COMMISSION.

5 **24-44.7-103. Early childhood leadership commission - duties.**

6 (1) IN ADDITION TO ANY OTHER DUTIES SPECIFIED IN LAW, THE  
7 COMMISSION SHALL HAVE THE FOLLOWING DUTIES:

8 (a) TO PROVIDE ADVICE AND RECOMMENDATIONS TO THE GENERAL  
9 ASSEMBLY CONCERNING THE CREATION OF A UNIFIED, INTERAGENCY DATA  
10 SYSTEM TO PROMOTE SHARING AND THE USE OF COMMON DATA FOR  
11 PLANNING AND ACCOUNTABILITY. THE COMMISSION SHALL WORK WITH  
12 THE GOVERNMENT DATA ADVISORY BOARD CREATED IN SECTION  
13 24-37.5-703 IN CREATING THE DATA SYSTEM.

14 (b) TO IDENTIFY OPPORTUNITIES FOR, AND BARRIERS TO, THE  
15 ALIGNMENT OF STANDARDS, RULES, POLICIES, AND PROCEDURES ACROSS  
16 PROGRAMS AND AGENCIES THAT SUPPORT YOUNG CHILDREN AND TO  
17 RECOMMEND TO THE GENERAL ASSEMBLY AND TO GOVERNMENT AND  
18 NONPROFIT AGENCIES AND POLICY BOARDS CHANGES TO ENHANCE THE  
19 ALIGNMENT AND PROVISION OF SERVICES AND SUPPORTS FOR YOUNG  
20 CHILDREN;

21 (c) TO CONSIDER AND RECOMMEND WAIVERS FROM STATE  
22 REGULATIONS ON BEHALF OF EARLY CHILDHOOD COUNCILS AS PROVIDED  
23 IN SECTION 26-6.5-104 (1), C.R.S.;

24 (d) TO DEVELOP METHODS FOR USING INTERAGENCY DATA TO  
25 INFORM COMPREHENSIVE POLICY AND BUDGET DECISIONS RELATING TO  
26 CHILDREN'S SERVICES AND SUPPORTS;

27 (e) TO ENSURE THE INTERAGENCY DATA SYSTEM INFRASTRUCTURE

1       ALLOWS FOR STATEWIDE NEEDS ASSESSMENTS CONCERNING THE QUALITY  
2       AND AVAILABILITY OF EARLY CHILDHOOD SERVICES, INCLUDING BUT NOT  
3       LIMITED TO HEALTH, MENTAL HEALTH, BEHAVIORAL HEALTH, CHILD  
4       PROTECTION, FAMILY SUPPORT, AND EARLY LEARNING SERVICES; AND

5               (f) TO DEVELOP RECOMMENDATIONS REGARDING A QUALITY,  
6       COHESIVE PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT  
7       SYSTEM, INCLUDING PERFORMANCE METRICS TO GUIDE CONTINUOUS  
8       IMPROVEMENT PROCESSES FOR PROFESSIONALS WORKING WITH YOUNG  
9       CHILDREN.

10              (2) THE COMMISSION SHALL REVIEW THE OVERALL GOVERNANCE  
11       SYSTEM FOR EARLY CHILDHOOD SERVICES AND SUPPORTS WITHIN THE  
12       STATE AND DEVELOP RECOMMENDATIONS CONCERNING THE FEASIBILITY  
13       AND EFFICACY OF CREATING A STATE-LEVEL OVERSIGHT AND  
14       COORDINATION STRUCTURE FOR THE DELIVERY OF SERVICES AND  
15       SUPPORTS TO YOUNG CHILDREN.

16              (3) IN FULFILLING ITS DUTIES, THE COMMISSION SHALL  
17       COLLABORATE, AT A MINIMUM, WITH:

18              (a) THE COLORADO EARLY CHILDHOOD COUNCIL ADVISORY TEAM  
19       ESTABLISHED IN SECTION 26-6.5-105, C.R.S.;

20              (b) MEMBERS OF THE EARLY CHILDHOOD COUNCILS ESTABLISHED  
21       PURSUANT TO SECTION 26-6.5-103, C.R.S.;

22              (c) THE PREVENTION LEADERSHIP COUNCIL CREATED IN THE  
23       DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THROUGH THE  
24       IMPLEMENTATION OF SECTION 25-20.5-107, C.R.S.;

25              (d) THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN  
26       ARTICLE 46.3 OF THIS TITLE;

27              (e) THE GOVERNMENT DATA ADVISORY BOARD CREATED IN

1 SECTION 24-37.5-703;

2 (f) ANY OTHER BOARDS, COMMISSIONS, AND COUNCILS EXISTING  
3 WITHIN THE EXECUTIVE BRANCH AGENCIES THAT ADDRESS SERVICES AND  
4 SUPPORTS FOR YOUNG CHILDREN; AND

5 (g) ANY STATEWIDE ORGANIZATIONS THAT WORK IN THE AREAS OF  
6 CHILD PROTECTION OR CRIMINAL JUSTICE.

7 (4) ON OR BEFORE JANUARY 31, 2011, AND ON OR BEFORE  
8 JANUARY 31 EACH YEAR THEREAFTER, THE COMMISSION SHALL MEET IN  
9 A JOINT SESSION WITH THE GOVERNOR AND THE HEALTH AND HUMAN  
10 SERVICES COMMITTEES AND EDUCATION COMMITTEES OF THE HOUSE OF  
11 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, TO  
12 REPORT ITS ADVICE AND RECOMMENDATIONS, INCLUDING ANY  
13 RECOMMENDED LEGISLATIVE OR REGULATORY CHANGES, CONCERNING  
14 THE ISSUES SPECIFIED IN THIS SECTION. AT THE JOINT MEETING HELD ON  
15 OR BEFORE JANUARY 31, 2012, THE COMMISSION SHALL REPORT ITS  
16 RECOMMENDATIONS CONCERNING CREATION OF A STATE-LEVEL  
17 OVERSIGHT AND COORDINATION STRUCTURE FOR THE DELIVERY OF  
18 SERVICES AND SUPPORTS TO YOUNG CHILDREN.

19 **24-44.7-104. Early childhood leadership commission fund -**  
20 **created.** (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE  
21 EARLY CHILDHOOD LEADERSHIP COMMISSION FUND, REFERRED TO IN THIS  
22 SECTION AS THE "FUND". THE FUND SHALL CONSIST OF ANY MONEYS  
23 CREDITED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION  
24 AND ANY ADDITIONAL FEDERAL MONEYS THAT THE GOVERNOR MAY  
25 ALLOCATE TO THE FUND. THE FUND SHALL NOT INCLUDE APPROPRIATIONS  
26 OF MONEYS FROM THE STATE GENERAL FUND. THE MONEYS IN THE FUND  
27 ARE CONTINUOUSLY APPROPRIATED TO THE COMMISSION FOR

1 ADMINISTRATIVE COSTS AND THE EXPENSES INCURRED BY THE  
2 COMMISSION IN FULFILLING ITS DUTIES PURSUANT TO THIS ARTICLE.

3 (b) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE EXPENSES  
4 OF THE COMMISSION MAY BE INVESTED BY THE STATE TREASURER AS  
5 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE  
6 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED  
7 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS  
8 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN  
9 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE  
10 GENERAL FUND OR ANOTHER FUND.

11 (2) THE COMMISSION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS,  
12 GRANTS, OR DONATIONS, INCLUDING IN-KIND CONTRIBUTIONS, FROM  
13 PRIVATE OR PUBLIC SOURCES; EXCEPT THAT THE COMMISSION MAY NOT  
14 ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS  
15 THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE  
16 STATE. THE COMMISSION SHALL TRANSMIT ALL PRIVATE AND PUBLIC  
17 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE  
18 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND.

19 **SECTION 2.** 26-6.5-104 (1), Colorado Revised Statutes, is  
20 amended to read:

21 **26-6.5-104. Early childhood councils - waivers - rules -**  
22 **funding - application.** (1) A local council may request a waiver of any  
23 rule that would prevent a council from implementing council projects.  
24 The local council shall submit the request to the ~~state department, which~~  
25 EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN ARTICLE 44.7 OF  
26 TITLE 24, C.R.S. THE EARLY CHILDHOOD LEADERSHIP COMMISSION SHALL  
27 CONSULT WITH THE AFFECTED STATE AGENCY AND shall work in

1 collaboration with the advisory team in reviewing the request. The state  
2 department OR OTHER AFFECTED STATE AGENCY shall grant waivers upon  
3 approval RECOMMENDATION BY THE COMMISSION.

4 **SECTION 3.** The introductory portion to 26-6.5-105 (3),  
5 Colorado Revised Statutes, is amended to read:

6 **26-6.5-105. Early childhood council advisory team - creation**  
7 **- duties.** (3) The duties and functions of the advisory team, in  
8 collaboration with the state department, ~~and~~ the office of the lieutenant  
9 governor, AND THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED  
10 IN SECTION 24-44.7-102, C.R.S., shall include but need not be limited to:

11 **SECTION 4. Act subject to petition - effective date.** This act  
12 shall take effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly (August  
14 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
15 referendum petition is filed pursuant to section 1 (3) of article V of the  
16 state constitution against this act or an item, section, or part of this act  
17 within such period, then the act, item, section, or part shall not take effect  
18 unless approved by the people at the general election to be held in  
19 November 2010 and shall take effect on the date of the official  
20 declaration of the vote thereon by the governor.