

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0065.01 Jane Ritter

HOUSE BILL 11-1027

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HOUSE SPONSORSHIP

Looper,

SENATE SPONSORSHIP

Newell,

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE DEPARTMENT OF DEFENSE  
102 QUALITY CHILD CARE STANDARDS PILOT PROGRAM.

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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/billsummaries.>)*

The bill creates the department of defense quality child care standards pilot program (program) in the state department of human services (state department). The objective of the program is to allow military personnel to access and be reimbursed for off-base child care that meets the quality standards established by the federal department of

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.*

defense. Minimum program requirements are outlined, including possible additional inspections per year for child care pilot facilities. The state department is authorized to promulgate rules for the remaining components of the program, including charging a fee for additional inspections or services. The program is repealed, effective June 30, 2015.

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

2 **SECTION 1.** Article 6 of title 26, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 6**

5 **DEPARTMENT OF DEFENSE QUALITY CHILD CARE**

6 **STANDARDS PILOT PROGRAM**

7 **26-6-601. Short title.** THIS PART 6 SHALL BE KNOWN AND MAY BE  
8 CITED AS THE "DEPARTMENT OF DEFENSE QUALITY CHILD CARE  
9 STANDARDS PILOT PROGRAM".

10 **26-6-602. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
11 HEREBY FINDS AND DETERMINES THAT:

12 (a) PROVIDING QUALITY CHILD CARE IS VITAL TO THE HEALTH AND  
13 WELL-BEING OF THE CHILDREN OF COLORADO;

14 (b) THE HUMAN CAPACITY TO DEVELOP AND CHANGE IS GREATEST  
15 FROM BIRTH TO FIVE YEARS OF AGE WHEN THE BRAIN IS MOST MALLEABLE  
16 AND ABLE TO CHANGE IN RESPONSE TO EDUCATION AND STIMULATION;

17 (c) THE INVESTMENT MADE IN EARLY CHILDHOOD CARE BENEFITS  
18 CHILDREN, PARENTS, AND THE COMMUNITY IN THE LONG TERM.

19 STATISTICS CONSISTENTLY SHOW THAT INVESTMENT IN EARLY CHILDHOOD  
20 EDUCATION AND PROGRAMS PREVENTS SOME CHILDREN FROM ENTERING  
21 THE CRIMINAL JUSTICE SYSTEM, WHICH, IN TURN, DIMINISHES JAIL OR  
22 PRISON COSTS. CHILDREN WHO WERE ENROLLED IN PRE-KINDERGARTEN  
23 PROGRAMS ARE ALSO MORE LIKELY TO HAVE BETTER EMPLOYMENT AND

1 HIGHER WAGES OVER THEIR LIFETIMES;

2 (d) AS A RESULT, THERE IS A GREAT DEMAND FOR EXPENSIVE  
3 REMEDIAL PROGRAMS TO ADDRESS LEARNING AND BEHAVIOR PROBLEMS  
4 IN LATER YEARS WHEN CHANGE IS FAR MORE DIFFICULT TO ACHIEVE; AND

5 (e) IMPLEMENTING STRATEGIES SO THAT CHILDREN BECOME  
6 SUCCESSFUL EARLY LEARNERS HELPS REDUCE THE NEED FOR EXPENSIVE  
7 LATER REMEDIATION PROGRAMS.

8 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

9 (a) THE PROVISION OF CHILD CARE ENABLES PARENTS TO WORK,  
10 THUS GENERATING EXTRA DOLLARS FOR LOCAL AND STATE ECONOMIES;

11 (b) MILITARY FACILITIES CURRENTLY DO NOT HAVE ENOUGH  
12 SPACES TO CARE FOR ALL THE CHILDREN WHO NEED CHILD CARE AND  
13 EARLY LEARNING ENVIRONMENTS, YET PROVIDING EARLY LEARNING  
14 PROGRAMS TO CHILDREN OF THE MILITARY IS ESPECIALLY IMPORTANT  
15 DURING TIMES OF STRESS RELATED TO DEPLOYMENT OF THEIR PARENTS;  
16 AND

17 (c) FEDERAL DOLLARS SHALL BE AVAILABLE TO MILITARY  
18 FAMILIES TO SUBSIDIZE OFF-BASE CHILD CARE, PROVIDED THE CHILD CARE  
19 FACILITY MEETS HIGH QUALITY STANDARDS.

20 (3) THE GENERAL ASSEMBLY THEREFORE CONCLUDES THAT IT IS  
21 IN THE BEST INTEREST OF OUR STATE'S MILITARY FAMILIES AND CHILDREN  
22 TO CREATE A PILOT PROGRAM THAT ALLOWS MILITARY FAMILIES TO USE  
23 THEIR FEDERAL CHILD CARE STIPENDS TO OBTAIN OFF-BASE CHILD CARE IN  
24 FACILITIES THAT MEET THE HIGH QUALITY STANDARDS ESTABLISHED BY  
25 THE FEDERAL DEPARTMENT OF DEFENSE.

26 **26-6-603. Definitions.** AS USED IN THIS PART 6, UNLESS THE  
27 CONTEXT OTHERWISE REQUIRES:

1 (1) "PROGRAM" MEANS THE DEPARTMENT OF DEFENSE QUALITY  
2 CHILD CARE STANDARDS PILOT PROGRAM CREATED PURSUANT TO SECTION  
3 26-6-604.

4 (2) "STATE DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN  
5 SERVICES CREATED AND EXISTING PURSUANT TO SECTION 24-1-120, C.R.S.

6 **26-6-604. Department of defense quality child care standards**  
7 **pilot program - creation - program scope - reporting requirements -**  
8 **rules.** (1) THERE IS HEREBY CREATED IN THE STATE DEPARTMENT THE  
9 DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS PILOT  
10 PROGRAM. THE OBJECTIVE OF THE PROGRAM IS TO ALLOW MILITARY  
11 PERSONNEL TO USE THEIR FEDERAL CHILD CARE STIPENDS TO ACCESS  
12 OFF-BASE CHILD CARE FACILITIES THAT MEET THE QUALITY STANDARDS  
13 ESTABLISHED BY THE FEDERAL DEPARTMENT OF DEFENSE. THE STATE  
14 DEPARTMENT SHALL ADMINISTER THE PROGRAM IN ACCORDANCE WITH  
15 THE PROVISIONS OF THIS PART 6.

16 (2) PILOT SITES MAY APPLY TO THE STATE DEPARTMENT TO BE  
17 CONSIDERED FOR INCLUSION IN THE PROGRAM. THE STATE DEPARTMENT,  
18 WITH INPUT FROM LOCAL COUNTY RESOURCE AND REFERRAL AGENCIES  
19 AND EARLY CHILDHOOD COUNCILS OF IMPACTED COUNTIES, SHALL  
20 DESIGNATE PILOT SITE FACILITIES TO SERVE MILITARY FAMILIES.  
21 DESIGNATION OF PILOT SITES SHALL BE DEPENDENT UPON FUNDING FROM  
22 THE FEDERAL DEPARTMENT OF DEFENSE AS CHILD CARE STIPENDS TO  
23 MILITARY FAMILIES AND FUNDING OF THE PILOT SITE LICENSING UNIT  
24 THROUGH FEES COLLECTED PURSUANT TO SUBSECTION (7) OF THIS  
25 SECTION. THE DESIGNATED CHILD CARE FACILITIES SHALL PROVIDE CHILD  
26 CARE TO MILITARY FAMILIES, PROVIDED THE FACILITY MEETS THE QUALITY  
27 CHILD CARE STANDARDS ADOPTED BY RULE OF THE STATE DEPARTMENT.

1           (3) THE PILOT SITE FACILITIES SHALL HAVE, AT A MINIMUM, THE  
2 FOLLOWING PROGRAM COMPONENTS:

3           (a) FULL COMPLIANCE WITH RULES PROMULGATED PURSUANT TO  
4 THIS PART 6, INCLUDING DEPARTMENT OF DEFENSE CHILD CARE  
5 STANDARDS;

6           (b) SPECIAL NEEDS SERVICES;

7           (c) STAFF DEVELOPMENT AND TRAINING;

8           (d) FAMILY SUPPORT SERVICES; AND

9           (e) A STATE DEPARTMENT-APPROVED QUALITY RATING AND  
10 IMPROVEMENT SYSTEM.

11           (4) THE STATE DEPARTMENT SHALL IDENTIFY, DEVELOP, AND  
12 IMPLEMENT AN EARLY CHILDHOOD TRAINING PLAN BASED UPON THE  
13 NEEDS OF EACH PILOT SITE FACILITY. THE TRAINING SHALL INCLUDE THE  
14 PRINCIPAL ELEMENTS OF THE RULES PROMULGATED PURSUANT TO THIS  
15 PART 6, THE DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS,  
16 AND THE ELEMENTS OF THE QUALITY RATING AND IMPROVEMENT SYSTEM.

17           (5) ON OR BEFORE DECEMBER 30, 2011, THE STATE DEPARTMENT  
18 SHALL DEVELOP A QUALITY RATING AND IMPROVEMENT SYSTEM FOR USE  
19 IN THE PROGRAM TO MEASURE THE IMPLEMENTATION OF THE DEPARTMENT  
20 OF DEFENSE STANDARDS.

21           (6) ON OR BEFORE JANUARY 1, 2012, THE STATE DEPARTMENT  
22 SHALL PROMULGATE RULES FOR THE IMPLEMENTATION OF THIS PART 6.  
23 THE RULES SHALL INCLUDE, AT A MINIMUM:

24           (a) PILOT SITE COMPLIANCE WITH DEPARTMENT OF DEFENSE  
25 QUALITY CHILD CARE STANDARDS, INCLUDING BUT NOT LIMITED TO  
26 ADDITIONAL INSPECTIONS, CREDENTIALS, ONGOING TRAINING, AND  
27 OVERSIGHT;

1 (b) A REQUIREMENT FOR COMPLIANCE WITH EXISTING STATE AND  
2 FEDERAL REGULATIONS; AND

3 (c) A PROCEDURE TO ESTABLISH A FEE FOR AND CHARGE PILOT SITE  
4 FACILITIES FOR ANY ADDITIONAL INSPECTIONS AND SERVICES REQUIRED TO  
5 IMPLEMENT THE ENHANCED DEPARTMENT OF DEFENSE QUALITY CHILD  
6 CARE STANDARDS.

7 (7) THE STATE DEPARTMENT IS HEREBY GRANTED THE AUTHORITY  
8 TO CHARGE PILOT SITE FACILITIES FOR ANY ADDITIONAL INSPECTIONS AND  
9 SERVICES REQUIRED BY THE DEPARTMENT OF DEFENSE QUALITY CHILD  
10 CARE STANDARDS.

11 (8) NO LATER THAN MARCH 1, 2015, THE STATE DEPARTMENT  
12 SHALL REPORT ON THE OUTCOMES OF THE PROGRAM, INCLUDING AN  
13 EVALUATION OF THE HIGHER STANDARDS AND THE QUALITY RATING AND  
14 IMPROVEMENT SYSTEM FOR LICENSURE, MONITORING, AND PROVIDER  
15 SUPPORT TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES  
16 OF THE SENATE AND HOUSE OF REPRESENTATIVES AND THE HEALTH AND  
17 HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF  
18 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES. THE STATE  
19 DEPARTMENT SHALL DETERMINE IF THE MODEL FOR THE PROGRAM  
20 REPRESENTS THE BEST PRACTICES TO BE IMPLEMENTED STATEWIDE.

21 **26-6-605. Department of defense quality child care standards**  
22 **pilot program - funding.** IT IS THE INTENT OF THE GENERAL ASSEMBLY  
23 THAT THE PILOT PROGRAM SHALL BE FUNDED BY GIFTS, GRANTS, AND  
24 DONATIONS AND ANY FEES COLLECTED PURSUANT TO SECTION 26-6-604  
25 (7). PAYMENT FOR CHILD CARE SERVICES FOR A CHILD OF A MEMBER OF  
26 THE MILITARY SHALL BE MADE BY THE FAMILY AND SHALL INCLUDE ANY  
27 CHILD CARE STIPEND RECEIVED BY THE CHILD CARE FACILITY FROM THE

1 FEDERAL DEPARTMENT OF DEFENSE. THE STATE DEPARTMENT MAY  
2 ACCESS OTHER ALREADY APPROPRIATED STATE FUNDS TO ENHANCE THE  
3 QUALITY OF CARE AND EDUCATION OF CHILDREN IN THE IMPLEMENTATION  
4 OF THE QUALITY RATING AND IMPROVEMENT SYSTEM. MONEYS FROM FEES  
5 COLLECTED PURSUANT TO SECTION 26-6-604 (7) MAY BE USED TO  
6 ADMINISTER A PILOT SITE LICENSING UNIT. THE STATE DEPARTMENT  
7 SHALL NOT BE OBLIGATED TO IMPLEMENT THE PROVISIONS OF SECTION  
8 26-6-604 UNTIL SUCH TIME AS SUFFICIENT FUNDS ARE AVAILABLE.

9 **26-6-606. Repeal of part.** THIS PART 6 IS REPEALED, EFFECTIVE  
10 JUNE 30, 2015.

11 **SECTION 2. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.