

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

**PREAMENDED**

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

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 The program is repealed, effective June 30, 2015.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 BENEFITS AND ANY OTHER  
12 STIPENDS TO ACCESS OFF-BASE CHILD CARE FACILITIES THAT MEET THE  
13 QUALITY STANDARDS ESTABLISHED BY THE FEDERAL DEPARTMENT OF  
14 DEFENSE. THE STATE DEPARTMENT SHALL ADMINISTER THE PROGRAM IN  
15 ACCORDANCE WITH 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 THE LOCAL PUBLIC HEALTH AGENCY, LOCAL COUNTY  
19 RESOURCE AND REFERRAL AGENCIES, AND EARLY CHILDHOOD COUNCILS  
20 OF IMPACTED COUNTIES, SHALL DESIGNATE PILOT SITE FACILITIES TO  
21 SERVE MILITARY FAMILIES. DESIGNATION OF PILOT SITES SHALL BE  
22 DEPENDENT UPON FUNDING FROM THE FEDERAL DEPARTMENT OF DEFENSE  
23 AS CHILD CARE STIPENDS TO MILITARY FAMILIES AND FUNDING OF THE  
24 PILOT SITE LICENSING UNIT THROUGH FEES COLLECTED PURSUANT TO  
25 SUBSECTION (7) OF THIS SECTION. THE DESIGNATED CHILD CARE  
26 FACILITIES SHALL PROVIDE CHILD CARE TO MILITARY FAMILIES, PROVIDED  
27 THE FACILITY MEETS THE QUALITY CHILD CARE STANDARDS ADOPTED BY

1 RULE OF THE STATE DEPARTMENT.

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

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

7 (b) SPECIAL NEEDS SERVICES;

8 (c) STAFF DEVELOPMENT AND TRAINING;

9 (d) FAMILY SUPPORT SERVICES; AND

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

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

18 (5) ON OR BEFORE DECEMBER 30, 2013, THE STATE DEPARTMENT  
19 SHALL DEVELOP A QUALITY RATING AND IMPROVEMENT SYSTEM THAT IS  
20 INCLUSIVE, ACCESSIBLE, AVAILABLE TO ALL CHILD CARE PROVIDERS,  
21 EMBEDDED IN LICENSING, AND REFLECTIVE OF EVIDENCE-BASED  
22 PRACTICES FOR SUCCESSFUL OUTCOMES FOR ALL CHILDREN AND FAMILIES,  
23 TO BE USED IN THE PROGRAM TO EVALUATE THE IMPLEMENTATION OF THE  
24 DEPARTMENT OF DEFENSE STANDARDS.

25 (6) ON OR BEFORE JUNE 30, 2012, THE STATE DEPARTMENT AND  
26 THE LOCAL PUBLIC HEALTH AGENCY SHALL PROMULGATE RULES FOR THE  
27 IMPLEMENTATION OF THIS PART 6. THE RULES SHALL INCLUDE, AT A

1 MINIMUM:

2 (a) PILOT SITE COMPLIANCE WITH DEPARTMENT OF DEFENSE  
3 QUALITY CHILD CARE STANDARDS;

4 (b) A REQUIREMENT FOR COMPLIANCE WITH EXISTING STATE AND  
5 FEDERAL REGULATIONS; AND

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

10 (7) THE STATE DEPARTMENT AND THE LOCAL PUBLIC HEALTH  
11 AGENCY ARE HEREBY GRANTED THE AUTHORITY TO CHARGE PILOT SITE  
12 FACILITIES FOR ANY ADDITIONAL INSPECTIONS AND SERVICES REQUIRED BY  
13 THE DEPARTMENT OF DEFENSE QUALITY CHILD CARE STANDARDS.

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

24 **26-6-605. Department of defense quality child care standards**  
25 **pilot program - funding.** IT IS THE INTENT OF THE GENERAL ASSEMBLY  
26 THAT THE PILOT PROGRAM SHALL BE FUNDED BY GIFTS, GRANTS, AND  
27 DONATIONS; FEDERAL MONEYS; AND ANY FEES COLLECTED PURSUANT TO

1 SECTION 26-6-604 (7). PAYMENT FOR CHILD CARE SERVICES FOR A CHILD  
2 OF A MEMBER OF THE MILITARY SHALL BE MADE BY THE FAMILY AND  
3 SHALL INCLUDE ANY CHILD CARE BENEFIT OR STIPEND RECEIVED BY THE  
4 CHILD CARE FACILITY FROM THE FEDERAL DEPARTMENT OF DEFENSE. THE  
5 STATE DEPARTMENT AND THE LOCAL PUBLIC HEALTH AGENCY MAY  
6 ACCESS OTHER ALREADY APPROPRIATED STATE FUNDS TO ENHANCE THE  
7 QUALITY OF CARE AND EDUCATION OF CHILDREN IN THE IMPLEMENTATION  
8 OF THE QUALITY RATING AND IMPROVEMENT SYSTEM. MONEYS FROM FEES  
9 COLLECTED PURSUANT TO SECTION 26-6-604 (7) MAY BE USED TO  
10 ADMINISTER A PILOT SITE LICENSING UNIT. THE STATE DEPARTMENT AND  
11 THE LOCAL PUBLIC HEALTH AGENCY SHALL NOT BE OBLIGATED TO  
12 IMPLEMENT THE PROVISIONS OF SECTION 26-6-604 UNTIL SUCH TIME AS  
13 SUFFICIENT FUNDS ARE AVAILABLE.

14 **26-6-606. Repeal of part.** THIS PART 6 IS REPEALED, EFFECTIVE  
15 JUNE 30, 2015.

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