

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

2001



SENATE BILL 01-221

BY SENATOR(S) Epps, Anderson, Andrews, Arnold, Chlouber, Dyer (Durango), Dyer (Arapahoe), Entz, Evans, Hagedorn, Hernandez, Hillman, Lamborn, Linkhart, Matsunaka, May, McElhany, Musgrave, Nichol, Owen, Perlmutter, Reeves, Takis, Taylor, Teck, and Windels;  
also REPRESENTATIVE(S) Clapp, Alexander, Boyd, Cloer, Coleman, Hefley, Mace, Sanchez, Tapia, Tochtrop, Veiga, and Williams S.

CONCERNING PERSONS WHO ARE AFFILIATES OF CHILD CARE FACILITY LICENSEES.

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

**SECTION 1.** 26-6-102 (1), Colorado Revised Statutes, is amended to read:

**26-6-102. Definitions.** As used in this article, unless the context otherwise requires:

(1) "Affiliate of a licensee" means:

(a) Any person or entity that owns more than five percent of the ownership interest in the business operated by the licensee or the applicant for a license; or

---

*Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.*

(b) Any person who is directly responsible for the care and welfare of children served; OR

(c) ANY EXECUTIVE, OFFICER, MEMBER OF THE GOVERNING BOARD, OR EMPLOYEE OF A LICENSEE; OR

(d) A RELATIVE OF A LICENSEE, WHICH RELATIVE PROVIDES CARE TO CHILDREN AT THE LICENSEE'S FACILITY OR IS OTHERWISE INVOLVED IN THE MANAGEMENT OR OPERATIONS OF THE LICENSEE'S FACILITY.

**SECTION 2.** 26-6-108, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**26-6-108. Denial of original license - suspension - revocation - probation - refusal to renew license - fines.** (2.3) THE STATE DEPARTMENT MAY DENY AN APPLICATION FOR A CHILD CARE FACILITY LICENSE PURSUANT TO THIS PART 1 IF SUCH APPLICANT IS A RELATIVE AFFILIATE OF A LICENSEE, AS DESCRIBED IN SECTION 26-6-102 (1) (d), OF A CHILD CARE FACILITY LICENSED PURSUANT TO THIS PART 1, WHICH LICENSEE IS THE SUBJECT OF A PREVIOUS NEGATIVE LICENSING ACTION OR IS THE SUBJECT OF A PENDING INVESTIGATION BY THE STATE DEPARTMENT THAT MAY RESULT IN A NEGATIVE LICENSING ACTION.

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 2001, and shall apply to applications for child care licenses made on or after said date.

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

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

---

Stan Matsunaka  
PRESIDENT OF  
THE SENATE

---

Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Karen Goldman  
SECRETARY OF  
THE SENATE

---

Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

---

Bill Owens  
GOVERNOR OF THE STATE OF COLORADO