

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

INTRODUCED

LLS NO. 01-0214.01 Debbie Haskins

SENATE BILL 01-019

SENATE SPONSORSHIP

Epps

HOUSE SPONSORSHIP

(None)

Senate Committees

Health, Environment, Children & Families

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF COUNTIES TO SET PARENTAL SHARE**
102 **POLICIES FOR SUBSIDIZED CHILD CARE.**

Bill Summary

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

Authorizes counties to set their own county policies for parental share requirements for child care provided under Colorado works and for the Colorado child care assistance program instead of following the formula for parental share requirements set by rules adopted by the state board of human services.

Sets forth required factors for the board of county commissioners to include in adopting county policies on parental share requirements for subsidized child care. Specifies that parent income inclusions 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.*

exclusions for any subsidized child care provided by a county are not affected by the adoption of a parental share requirement by a county.

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

2 **SECTION 1.** 26-2-805 (1), Colorado Revised Statutes, is
3 amended to read:

4 **26-2-805. Services - assistance provided.** (1) (a) Subject to
5 available appropriations, and pursuant to rules promulgated by the state
6 department, a county shall provide child care assistance to a participant
7 or any person or family whose income is not more than one hundred thirty
8 percent of the federal poverty level.

9 (b) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b.5) OF THIS
10 SUBSECTION (1) AND subject to available appropriations and pursuant to
11 rules promulgated by the state department, a county may provide child
12 care assistance for a family transitioning off the works program or for any
13 other family whose income does not exceed two hundred twenty-five
14 percent of the federal poverty level for a family of the same size. A
15 recipient of child care assistance shall be responsible for paying a portion
16 of such child care based upon the recipient's income and the formula
17 developed by rules of the state board OR BY OFFICIAL WRITTEN POLICIES
18 IF ADOPTED BY THE COUNTY PURSUANT TO SECTION 26-2-716 (2.5). For
19 any participant or any person or family whose income rises to the level set
20 by the county at which the county may deny said participant, person, or
21 family child care assistance, the county is strongly encouraged to continue
22 to provide such assistance for a period of six months; except that in no
23 event shall assistance be provided if said income exceeds the maximum
24 level for eligibility for services set by federal law for a family of the same
25 size. During such period the county shall work with said participant,

1 person, or family to provide a gradual transition off of the child care
2 assistance provided pursuant to this paragraph (b) over a six-month
3 period.

4 (b.5) (I) A COUNTY MAY ELECT TO ADOPT A PARENTAL SHARE
5 REQUIREMENT FOR CHILD CARE ASSISTANCE FOR A FAMILY PARTICIPATING
6 IN THE COLORADO WORKS PROGRAM OR FOR FAMILIES WHO ARE RECEIVING
7 CHILD CARE ASSISTANCE UNDER THE COLORADO CHILD CARE ASSISTANCE
8 PROGRAM. PARENT INCOME INCLUSIONS AND EXCLUSIONS FOR ANY
9 SUBSIDIZED CHILD CARE PROVIDED BY A COUNTY SHALL NOT BE AFFECTED
10 BY THE ADOPTION OF A PARENTAL SHARE REQUIREMENT BY A COUNTY.

11 (II) A PARENTAL SHARE REQUIREMENT ADOPTED BY A COUNTY
12 SHALL MEET STANDARDS ON AFFORDABILITY AS DEFINED BY RULES OF THE
13 STATE BOARD AND SHALL BE BASED ON:

- 14 (A) THE INCOME OF THE HOUSEHOLD;
- 15 (B) THE NUMBER OF CHILDREN IN CHILD CARE; AND
- 16 (C) THE NUMBER OF PEOPLE IN THE HOUSEHOLD.

17 (III) IN ADDITION TO THE REQUIREMENTS SET FORTH IN
18 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b.5), A COUNTY MAY ALSO APPLY
19 OTHER FACTORS IN ADOPTING A PARENTAL SHARE REQUIREMENT,
20 INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

- 21 (A) THE TYPE OR QUALITY OF CHILD CARE;
- 22 (B) THE LENGTH OF TIME THE FAMILY IS OR ANTICIPATES
23 RECEIVING A CHILDCARE SUBSIDY;
- 24 (C) ANY INCENTIVES FOR EMPLOYMENT ADVANCEMENT;
- 25 (D) THE ASSOCIATION BETWEEN THE PARENTAL SHARE AND
26 INCREASED ELIGIBILITY LEVELS WITHIN A COUNTY OR THE USE OF
27 TRANSITIONAL CHILDCARE PAYMENTS ONCE MAXIMUM ELIGIBILITY LEVELS

1 ARE MET.

2 (IV) A PARENTAL SHARE REQUIREMENT ADOPTED BY A COUNTY
3 SHALL NOT RESTRICT A PARENT'S ACCESS TO OR CHOICE OF ANY CATEGORY
4 OF CHILD CARE OR TYPE OF PROVIDER.

5 (c) A participant who is employed shall pay a portion of his or her
6 income for child care assistance under the Colorado child care assistance
7 program. The amount that such a participant shall be required to pay
8 under the provisions of this paragraph (c) shall be determined by a
9 formula that shall be established by rules of the state board. IN THE
10 ALTERNATIVE, A COUNTY MAY ELECT TO SET ITS OWN PARENTAL SHARE
11 REQUIREMENTS FOR CHILD CARE ASSISTANCE AS PROVIDED IN PARAGRAPH
12 (b.5) OF THIS SUBSECTION (1) IN WHICH CASE THE PARTICIPANT SHALL BE
13 REQUIRED TO PAY THE PORTION SET BY THE COUNTY.

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