

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



HOUSE BILL 01-1096

BY REPRESENTATIVE(S) Vigil, Alexander, Borodkin, Boyd, Chavez, Cloer, Coleman, Daniel, Groff, Jahn, Lee, Mace, Madden, Ragsdale, Romanoff, Sanchez, Tapia, Tochtrop, and Williams S.;
also SENATOR(S) Hagedorn, and Tupa.

CONCERNING THE AUTHORITY TO ALLOW RECIPIENTS TO SUPPLEMENT THE
AMOUNT RECEIVED THROUGH THE CHILD CARE ASSISTANCE PROGRAM.

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

SECTION 1. Legislative declaration. The general assembly hereby finds and declares that the provision of quality child care is critical to early childhood development. The general assembly further finds that some children are denied the quality of child care their families would like them to receive because providers are limited in the number of children they can serve at the child care assistance program rate. Therefore, the general assembly hereby finds and declares that it is in the best interests of the children of the state to allow a recipient of the Colorado child care assistance program to supplement the amount paid by the program in order to receive child care from a provider when such provider has been approved by a county but is unable to accept additional children at the child care assistance program rate and in order to expand the choices of child care available to the parents of the child. By allowing such supplements, it is the

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.

intent of the general assembly to increase the accessibility of child care to Colorado children who are served by the Colorado child care assistance program beyond the current level of provider availability.

SECTION 2. 26-2-803, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

26-2-803. State department authority - county authority - evaluation. (3) A COUNTY MAY ALLOW A RECIPIENT TO SUPPLEMENT THE AMOUNT PAID BY THE COLORADO CHILD CARE ASSISTANCE PROGRAM IN ORDER TO SELECT CHILD CARE FROM A PROVIDER THAT OTHERWISE MIGHT NOT BE AVAILABLE TO THE RECIPIENT IF SUCH PROVIDER HAS BEEN APPROVED BY THE COUNTY. ANY SUCH SUPPLEMENT SHALL BE IN ADDITION TO THE RECIPIENT'S PARENTAL SHARE OF SUCH CHILD CARE, IF ANY, PURSUANT TO SECTION 26-2-805. IF A RECIPIENT ELECTS TO SUPPLEMENT THE AMOUNT PAID BY THE COLORADO CHILD CARE ASSISTANCE PROGRAM, SUCH SUPPLEMENT SHALL NOT EXCEED TEN PERCENT OF THE RECIPIENT'S GROSS INCOME. IN SUCH CIRCUMSTANCES, A COUNTY-APPROVED CHILD CARE PROVIDER MAY CHARGE THE RECIPIENT MORE THAN THE RATE THE PROVIDER NEGOTIATED WITH THE COUNTY, BUT THE PROVIDER IS PROHIBITED FROM CHARGING THE RECIPIENT MORE THAN ITS STANDARD RATE. THE CHILD CARE PROVIDER SHALL REPORT EACH MONTH TO THE COUNTY THE NUMBER OF CHILDREN OF CHILD CARE ASSISTANCE RECIPIENTS TO WHOM IT IS PROVIDING CARE AT A RATE THAT EXCEEDS THE NEGOTIATED RATE AND THE AMOUNT IN EXCESS OF THE NEGOTIATED RATE AND PARENTAL SHARE THAT THE PARENT IS PAYING.

(4) A COUNTY THAT ALLOWS A RECIPIENT TO SUPPLEMENT THE AMOUNT PAID BY THE COLORADO CHILD CARE ASSISTANCE PROGRAM PURSUANT TO SUBSECTION (3) OF THIS SECTION SHALL ANNUALLY EVALUATE THE EFFECT OF PERMITTING SUCH SUPPLEMENT, IF ANY, ON THE OVERALL ACCESSIBILITY AND AFFORDABILITY OF CHILD CARE TO RECIPIENTS OF THE COLORADO CHILD CARE ASSISTANCE PROGRAM. A COUNTY SHALL SUBMIT ANY EVALUATION PREPARED PURSUANT TO THIS SUBSECTION (4) TO THE STATE DEPARTMENT ON AN ANNUAL BASIS, COMMENCING JULY 1, 2002.

SECTION 3. 26-2-805 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26-2-805. Services - assistance provided. (1) (d) PURSUANT TO

THE PROVISIONS OF SECTION 26-2-803 (3), IN ADDITION TO THE RECIPIENT'S PARENTAL SHARE OF CHILD CARE ASSISTANCE REQUIRED BY THIS SUBSECTION (1), IF ANY, A RECIPIENT MAY ELECT TO SUPPLEMENT THE AMOUNT PAID BY THE COLORADO CHILD CARE ASSISTANCE PROGRAM IN ORDER TO RECEIVE CHILD CARE FROM A COUNTY-APPROVED PROVIDER THAT OTHERWISE MIGHT NOT BE AVAILABLE TO THE RECIPIENT.

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.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO